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REDS AND LOST WAGES

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By

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REDS AND LOST WAGES

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The author dedicates this book
with grateful memories to

E. A. Grozier

who taught him the meaning of
energy and integrity
to

Senator Winthrop Murray Crane

whose tolerance and understanding
of the "other side" made him the
peer of all men in composing
any dispute
and to

The Director and Commissioners
of the Conciliation Service of the
United States Department of Labor

a corps of diplomats unexcelled
in devising the best methods
for the settlement of
labor disputes

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FOREWORD

WHAT are the causes of strikes and lockouts? What is the best cure for these forms of economic disturbance?

Strikes and lockouts are by-products of conditons of employment. The solution of any normal labor dispute can be found in the places where they originate, and there, too, can be installed a practical preventive against recurrence. Therefore, as the root of these evils are found in conditions of employment, the object of this book is to inspire those responsible to improve such conditions wherever needful. Better working conditions make for a broader vision, for better citizenship, a greater spread of continuous prosperity. As wealth comes from productive toil the quantity and quality of the wealth of a nation is substantially regulated by conditions under which productive toil is performed.

The reader of this book will find a positive cure for strikes and lockouts in the conditions of employment and methods of conduct which the author has amply described and interpreted. Those who hold that a "give and take" policy is best will find much solace herein. But I am impelled to announce that there are too many who observe such policy theoretically; in practice they are more inclined to "give" with a punch and "take" with both hands.

I hope that my readers will not get the notion that the solution, the cure, the preventives, as set forth in the following chapters, are my exclusive discoveries. I am merely the assembler of facts so arranged and interpreted by con-

clusions that one can see his own defects by showing him the errors of others.

I recently addressed the members of a labor organization. The title "Red Leadership, Busted Unions," describes the subject. The men followed it closely. Heads nodded; glances were exchanged. Some smiled, some scowled; but mostly they appeared soberly interested. At the finish there was applause that manifested the unmistakable quality of approval. It started concertedly, vigorously, and soon all were standing. No cheers, but murmurs denoting approval, respect, hearty accord, and wave after wave of handclapping.

Presently the president rapped for attention. "Brothers," he said, "this is the first time that I know of that the Chair hasn't been asked to present a motion for a rising vote of thanks and if such a motion was made now, I'd rule it out of order as being unnecessary. I think I voice your thoughts when I say to Commissioner Wood here and now that the straight talk he has given us is worth a balloon-ful of hot air. He has shown us clearly how bad we might be by showing how rotten some other unions have been. I wish he could get this message to every local in the land."

These men shall have their wish granted. Standing in their Labor Temple with eyes reflecting a high purpose and lofty hopes, and clapping their toil-hardened hands they gave me the best reason I know to fit this "key to industrial peace" into the deadlocks of strikes and lockouts.

This book is filled with facts showing the "bootlegging" leadership of Communists, with the mistakes made by certain labor unions and with the blunders committed by certain employers, together with those contributed by public officials.

From these facts covering all aspects of employment relations the reader will find the keynote to his problems.

And more, he should find much to freshen his mind, to clear it, to help it see elements in his own industry that can well be dispensed with.

Here are the results of appalling management and disregard for discipline; of selfish personal gain and violations of all rules of conformity, ethical and mandatory; of the exercise of power by those made drunk by power. It is a sordid picture, too, of certain union activities, easily recognized. I hope it will help the sensible members, who comprise a majority of the legitimate[1] organizations, to maintain the elements of common sense and decency so necessary for their continued welfare; that it will be useful in their efforts to stimulate the membership to seek and keep the faith in unions.

Certain types of leadership in the legitimate trade-union movement are responsible for the misunderstanding in the minds of those who confuse it with the "Red," or Communist, movement. In defining the difference the author has selected the activities of the shoe workers, who have promoted more forms of labor organization than any other working craft in America.

In a most timely and definite way the shoe industry has uncovered the basic principle essential to employer and employed anywhere for the preservation of industrial peace, and emphasized the importance of strict adherence to it by parties to any trade agreement that is expected to yield just and satisfying conditions, and likely to insure the public against strike or lockout. It took over twenty years to establish a convincing record, and it cost shoe manufactur-

[1] "Legitimate" in this sense is used to define the difference between established labor organizations and the Communistic movement. The former seek to better the condition of workers by means of collective bargaining; the latter use the workers to better the condition of the Communist party in its "period of illegality," a phrase used by Communists to disguise the intent to overthrow the government by force and violence while trying to organize workers into mass formation for that purpose.

ers, shoe workers, and shoe communities millions of dollars in products, wages, and loss of industry. But they built a foundation of experience to sustain the lack of wisdom.

They have brought into the open some distinct examples of the advantages and disadvantages of collective bargaining. For those who wonder if an "open shop" plan is better than a "closed shop," if arbitration as a determining factor is superior to direct action, if a union affiliated with the American Federation of Labor is more responsible than one that is not, if strikes better the condition of workers and lockouts promote discipline, the shoe industry's experience will remove the question.

Every panacea occurring to resourceful minds has been tried, adopted, changed, retained, or discarded. They have provided the story of industrial peace and industrial war. It reflects a state of mind that abides with employers and employees anywhere. Here has been lived over the experience of the striking railroad shop crafts, the pungent flavor of a coal strike; the intriguing transition of the needle trades; the sort of aroused public sentiment which projected the Kansas Industrial Court on an amazed people; the trials of a temperamental industrial democracy. And, happily enough, the issues have been worked out by representative types of American working people in concentrated areas, with clear issues and accessible records.

In speaking of "Reds" throughout this book, the meaning is descriptive of a radical form of conduct. To be called a "Red" one does not have to be a member of the Communist movement. It has been conferred upon the unintentional radical, sometimes with timely accuracy. There are chapters in this book whose facts indicate that there are such "Reds" among employers, and in the conservative labor movements, whose activities have been

nearly as destructive as those of the advocates of the overthrow of the government.

While several chapters are devoted to Communism the space is not indicative of the importance of the Communist movement in America. The government of the United States will not be overthrown by the types of revolutionists who represent that faith in this country. Yet the movement is so planned and executed that it becomes a menace in certain localities where weaknesses in conditions of employment invite its presence. For those who, perhaps unknowingly, are maintaining such conditions I have described in great detail the purposes and acts of Communists with the hope that the disclosures will serve to warn the complacent, whether among employers or labor unions, that this is a good time to correct defects.

The main indictment against Communism in this country is that its leaders knowingly use it to lead trusting, loyal workers to certain ruin by means of strikes that are lost as soon as they are called and expensive as long as they continue.

A strike led by Communists is costly to the strikers and community wherever it may be. The cost may be measured by the capacity of leadership. If it happens to be locally influential and the issue consists of grievances sufficiently important to affect a large number of workers, the strike is sure to attract attention, last several weeks, and impose a substantial expense upon the municipality, county, and state for maintenance of extra forces to protect lives and property. Such expense is another item to add to the direct wage losses incurred by strikers, besides fees exacted for membership in the Communist form of a union, bail fees, court fines, and special assessments. There must be counted in, too, the production and overhead losses to the employer. Then, of course, there is a big loss to the

merchants. The total is staggering—and wholly lost. No way has yet been found to recoup the losses caused by any strike, and a Communist strike is especially deadly in its losses. The greatest burden of expense is carried by the strikers. They hold the bag for their "Red" leaders who fill it with the gold that is gathered chasing rainbows.

Radicalism in the legitimate labor movement can be neutralized, if not entirely subdued, by reason exercised by wise leadership and the common sense of the great majority which comprise the movement. On the other hand Communism is beyond the bounds of reason. Communists are in a class by themselves; they are "class conscious" by their own admission. No way is open to reconcile their doctrine with the fundamentals of the labor movement, nor with the conduct of industrial relations in any industry. The doctrine of Communism is unAmerican, therefore impossible to become assimilated with the labor movement. Advocates of Communism are not amenable to reason.

Any employer, any representative of the labor movement, any public official or any well-meaning citizen, ambitious enough to "sit around the table" with Communists in an attempt to compose a controversy, will find the time consumed in such endeavor wholly wasted.

The objective of the Communist movement in America is to organize the workers of the world into "one big union," overthrow existing governments by force and violence, and establish "proletarian control of production." Its methods and objects are not unlike those of the Industrial Workers of the World (I. W. W.) whose aim, too, was revolution. There is a significant difference, however, in the solidity of its support.

The I. W. W. was a loosely constructed unit made up of radical workers wherever such could be located and held together by a desire to disturb normal relations between

employer and employed. It was without financial resources other than a fluctuating income derived from fees collected from members and donations from a pitying public. In the heat of strife in a locality where many thousands of workers were affected, a substantial number of these would join the I. W. W. The initiation fee charged for such membership was split three ways: a part to the national treasury, if there happened to be any at the time, a part to the local treasury of the strike committee, and the remainder to the organizer. Where a strike contained elements of strong public appeal, a strike committee was able to secure substantial response to the solicitation for money from the public. In colorful strikes like those in Lawrence and Passaic, hundreds of thousands of dollars were collected, but it is impossible to make an accurate statement of receipts and disbursements because no set of books was kept from which an accounting might be rendered.

The Communist movement in America, however, derives its creation and much of its strength from the control of the Union of Socialist Soviet Republics (Soviet Union) in Russia. Therefore, where the I. W. W. was weak the Communist movement in America is strong. That is, the Communists have the backing of the controlling party of the new form of government, a collateral force of convincing power and substantial financial capacity.

In the following chapters a few clearly established cases are cited in order to show the individual activities of Communists in their endeavor to inflict their program of government upon every form of industry and lead workers to ruin. Also, they go to show that endeavors to check this form of ruthless leadership of workers are at times neutralized by those bound by their oaths to maintain and defend organized government.

REDS AND LOST WAGES

CHAPTER I

Strikes Can Cause the Fall of Governments

Strikes are vital things and the influence of strikes is far reaching. The act of striking gives strikers a certain freedom to disregard normality. In the contest of a strike human minds are open to any suggestion that may be used to defeat an adversary. This state of mind is a source cultivated by Communists to disrupt, to tear down our form of government; it can be made the means of destruction. It is a fertile field for Communists to feed in because it is an inherent weakness. It can be made use of, a means to an end.

All that is needed is a chance, opportunity; freedom to commit wrong acts, deeds of violence. The urge is there. You can see it in the individual. Here is one who ignores the property rights of others, pilfering shrubs, flowers, trees, apples, leaving the litter of a picnic on some one's land. There are the men imbued by the influence of civic organizations who endeavor to preserve their characters as upright business men; never a thought, you would say, of wrongdoing in their minds. They are regarded as mainstays in the maintenance of our civilization, not likely to falter in their allegiance to law and order if all the police departments ceased to function. Yet, many of them conspire with "bootleggers" and, in other ways, encourage conditions that invite the less responsible to break the law. All about us are the signs, scraps of evidence of what we might be and what we showed ourselves to be during the Boston police strike. Not all, of course, but enough to show that strikes and the influence of strikes can become

sufficiently dominating to threaten the continuance of a government of the people by a part of the people here, there, anywhere. When one departs from a fair consideration of the issues and panders to either side or both, he is unthinkingly promoting an epidemic of strikes. There is danger when a strike ceases to be a resort to enforce a demand for wages or hours; it becomes a revolt against conditions established by statute; those engaged become imbued with desire to overwhelm. In this state of mind they gather a momentum likely to carry them beyond control. The general strike in England gave convincing proof of this, and Russia changed its forms of government by means of strikes.

The police strike in Boston in 1919 was a clear demonstration of the extent of influence that can be exerted by the unwise treatment of labor disputes. The strike was not an outburst by itself. It was a related, natural result, inevitably following a series of thoughtlessly handled controversies in other industries. The need of constant maintenance of police power was demonstrated, too, because the temporary need of it showed forcefully that without restraint many ignore the influences of civilization, and resort to surprising acts of lawlessness which centuries of law abiding have not eradicated.

I have heard and read many explanations of the cause of the police strike. Various public officials have been criticized for an alleged faulty handling of the controversy leading up to the strike. Organizers of the American Federation of Labor were accused of conspiring to disturb the discipline of the police force. In fact, many reasons have been offered, none quite accurate. Much effort was expended in trying to fasten blame. Perhaps these efforts explain why the real cause was not recognized. My understanding of the facts is as follows:

During the World War there had been erected several agencies that attempted the adjudication of strikes or threatened strikes. While the regular, legal, and experienced departments, federal and state, continued to function they were overshadowed, if not overwhelmed, by the more spectacular methods adopted by temporary authorities. The Massachusetts Board of Conciliation and Arbitration and the United States Department of Labor had early coordinated relations and worked together efficiently and without halting during those trying years. But they were frequently interrupted by the intrusion of some person whose authority was derived from a hastily organized "commission of public safety" or other specially created agency. There grew up in many a feeling of contest—a contest to secure the honor of conciliating the parties or arbitrating the issues of a labor dispute. Employers and employees had a variety of agencies from which to choose an arbiter. Whoever "won" the "contests" appeared to consider it a personal honor, and the side most responsible for assisting him in securing such honor was apparently rewarded.

The most conspicuous offender was the Public Safety Committee which had been set up in Massachusetts and allotted space in the State House.

It was thought that a war-time emergency might arise when a committee without defined powers would not be legally handicapped in exercising broad powers. I did not see any sense in this theory at the time, nor was any shown during the life of the committee. The occasion did not call for organizing a vigilance committee as might be required in a locality where no settled form of government was in existence. As the state officials were doing their work and there was no work for the Safety Committee to do, the latter undertook to do the work of the state officials. This

double dose of effort was like a purgative. It affected everybody but no one knew where to go for relief.

Then a strike occurred in a plant engaged in making material for the government. It was not a big strike, as strikes are measured; but it was big enough to appear on the "front page." A member of the state board took up the dispute at once and was conferring with the parties when they received a summons by telephone to "immediately report to the chairman of the Safety Committee at the State House." Mystified by the interest manifested, uncertain as to the vague powers of the committee, which inspired visions of a court-martial or some other punitive measure, the parties left their conference and hurriedly responded. They were ushered into the presence of the chairman. At his request they explained the cause of the strike—a matter of wage. He told them how important it was to win the war and in order to do it the army and navy must have the material the disputants were making without delay.

Then he separated the conferees. The employer was urged to agree to a submission to arbitration to be determined by the chairman. It was explained that any increase in wage could be passed on to the government; that the specifications relative to the price to be paid could be amended to cover this emergency. The employer assented.

In the meantime another member of the Safety Committee had "tipped off" the strikers committee to accept the chairman's request when made. The strikers were members of a union and their representatives were considerably in doubt about doing this. It had always been a practice of the parties to do their own negotiating and agree on wages and conditions in conference. Also the union had knowledge that justified a belief that the chairman, as an employer, had consistently refused to recognize a union in

his industry; that he had rigidly opposed efforts to organize his employees. This aspect of his attitude made them cautious, too. But assurances were given which were apparently satisfactory.

When the joint conference was resumed the parties accepted a proposal to arbitrate and included the chairman as arbiter. The decision, made forthwith, awarded the wage asked by the employees. The afternoon papers carried a story that the strike had been settled by the chairman of the "Safety Committee." At last the committee had found something to do. It started its members off in a mad pursuit of strike settling which was not ended until the strike of the Boston policemen provided a shock that recovered the lost measure of ccmmon sense.

Naturally, the employees picked the one most likely to coordinate the spirit of their slogan "Let's Strike and Get the Money." Decisions were made and awards conferred that were most embarrassing to the industry to which the controversy was related, as well as contiguous industries. Normal conditions of employment were frequently disregarded.

With a competent press agent directing a flow of news, with emissaries among business agents and other representatives of unions urging their "brothers" to accept these forms of arbitration, with the prestige of wealth and industrial success, plus the support of the Governor, the chairman fairly leaped into a position of amazing power. It subdued employers and reduced to impotency the established authority of state and nation to deal with labor disputes.

I recall another strike at a big cloth mill where six thousand were employed. Efforts to adjust it were hampered by some unseen force. A report was circulated that "the chairman of the Safety Committee is coming. Wait for

him and get the money." A bulletin was posted announcing the time he left Boston and the probable time of arrival at the scene of warfare. The whole village turned out. A company of militia was there and two squads were lined up to act as a guard of honor. It was in the nature of a reception to royalty, alike impressive to thousands of foreign-speaking strikers and villagers. Through this village channel, with State flag fluttering above the radiator, he slowly swept, the cynosure of all eyes, greeted by shouts of welcome. To them he was more than a personage. He was largess. He saw the light of gratitude in upturned faces and felt the warm glow of a giver. It was heady. He was living in a glorified state. He had made it and it was good.

Scores of cases might be cited as supporting evidence, but two more are enough. These are presented not only because of their magnitude but because they typify a condition imposed by a departure from established and tested methods of procedure; that the momentum gathered by such departure got out of control and carried beyond the end of the War.

The telephone operators of Boston and New England in the winter of 1918 and 1919 sought an increase in wage. The general manager referred it to the Postmaster General, who referred it to an assistant, who referred it to a tribunal established in New York—one authorized to pass upon wage disputes—and this agency referred it back to the general manager. This "passing of the buck" took time. A committee representing the operators did considerable traveling, but they didn't catch up with the "buck." Then, with patience exhausted, they threatened a strike. The Postmaster General, when appealed to, said it was up to the company to meet the issue. The latter said it was without authority, that it was still a part of the governmental de-

partment of which the Postmaster General was executive officer. The normal working agreement which defined the means of adjusting disputes was, therefore, impotent.

And so a strike followed. For days New England was without telephone service. Then the Postmaster General sent a representative to Boston and service was resumed after a conference of the parties. The girls "got the money." The fact was emphasized that they got it by means of a strike. The fact that a settlement should have been made four months earlier was lost sight of.

A few weeks later the Boston Elevated men suddenly gave notice that they would strike in forty-eight hours. They were bound by contract to join in a submission to arbitration any dispute not settled by conference. The contract provided that the questions in dispute should be determined by a board of three, one to be chosen by the men, one by the company, and the third selected by these two. This method, however, was ignored upon the insistence of the men to resort to the War Labor Board. The matters in dispute had been presented to the latter at Washington, and counsel had argued the issues before that tribunal sitting for the occasion in New York. It was all over but the decision when the public was startled by the strike announcement.

An effort was made to get the War Labor Board to make a decision, but it was shown that the joint chairmen were widely separated—former President Taft in Quebec, Robert M. Manley in California—and it was physically impossible for them to get together to reach a conclusion before the allotted time of forty-eight hours had elapsed. Besides, Judge Taft, in a message from Quebec, showed some concern that coercive methods were used to force a decision from the board. Much influence was brought to bear upon the men to rescind their action, but they "stood pat," and

when forty-eight hours were up, the street, elevated, and subway transportation facilities of Greater Boston were paralyzed.

Then followed frantic efforts to restore normal conditions. After several days the previously ignored provision in the contract was revived, a board of arbitration hastily selected and convened, a brief hearing held. Then the board adjourned to a hotel where representatives of both parties also had rooms. The next afternoon the members of the board filed out of the hotel, repaired to Boston Common, and announced their award from the Parkman bandstand, surrounded by five to six thousand striking carmen and several thousand idle spectators.

In the crowd were scores and scores of policemen in uniform and plain clothes. They saw with their own eyes the men who were accused of violating a contract and attempting to coerce a governmental tribunal. They heard with their own ears the announcement of an award which condoned the offenses and rewarded the offenders. They saw the chairman of the board carried back to the hotel upon the shoulders of cheering carmen. They saw the strikers "get the money."

The last straw! For a long time the policemen had sought changes in wages and better sleeping quarters. The police commissioner had "passed the buck" to the mayor, the mayor had passed it to the council, and the latter passed it—back. The average policeman is a simple-minded soul, whose environment makes him wary. He is the last man on earth who could be convinced that a labor union would better his condition. He has to be shown. And he was shown. He had seen two great forces in semi-public service exert the power of concerted action and "get away with it." It was the psychological moment.

And so he yielded to the alluring cry—"Come on, boys, let's join the union and get the money."

I stood on the upper side of Scollay Square at nine o'clock on the night of the "police strike." The men had left their stations three hours before. Behind me, a few yards up the hill, was Pemberton Square, police headquarters, flanked by the Suffolk County Courthouse. Before me looking down Court Street stood the Old State House where a government of law and order was nurtured by stern minds and reverent voices. A few yards beyond a circle of paving stones in State Street marks the spot where blood was shed—the first tragedy to usher in the dawn of American government. At the foot of Cornhill, there rests Faneuil Hall, famous old "Cradle of Liberty," still in use, still mindful of its grand old traditions in the maintenance of a stable government.

About me milled a crowd of aimless men and women, just seeing what they could see. They had lived their lives in an atmosphere of government, the government that derives its powers from the consent of the majority to be governed—the sort of people one would expect to find after one hundred and fifty years of governmental discipline.

Then, without apparent leadership, several men started toward Washington Street. Others followed, unhurried, still aimless. Some turned in between Young's Hotel and City Hall annex, passed through to School Street, thence down a few steps to Washington Street. All along were still more, wandering, wondering spectators. Mostly silent, or talking in low tones, like those you hear before funeral services begin. There was an air of expectancy without knowing what was expected. There were no patrolmen. No police power. None in sight. The people were "on their own." For over three hours nothing had happened.

Then came the sound of two hard substances in sharp

impact, followed a second later by a louder one and the thrilling crash of falling, splintering glass. A plate show window had been shattered. Instantly the window and its immediate vicinity were filled with struggling men, a mass of action, from which emerged from time to time bearers of shirts, neckties, collars, hats. In a few seconds the window was bare. Some with loot vanished; others lingered. Lootless ones were attacking the next window. Nothing happened. That is, the fear of arrest abated after the first shock of the lawless acts. I saw men exchanging new shirts each with the other, to get their sizes; others sat on the curb trying on shoes successfully pilfered from a shop window—good-looking men, mature in years, bearing all the earmarks of a lifetime of sane observance of property rights.

None appeared who failed to show a desire to take part in the looting. The sense of distinction between right and wrong which had been emphasized by nearly three hundred years of discipline disappeared in three hours. I did not, until then, realize how frail we are, how thin the veneer of civilization, how easily we may be led into a situation capable of breaking down defenses which most of us indifferently accept as a matter of fact, because they are existing order.

Many have sought to deny, and do still, that the man who settled the police strike actually did so. His identity, however, was early disclosed and the unshared credit for it was conferred upon him by a people who subsequently elected him President of the United States.

Between them, the mayor and the police commissioner had created a vast confusion. The former asserted that the latter had assured him that the police force would not be much reduced by the number who might respond to the order to strike, that the department had the situation "well in hand"; that there was no need for recruiting a special

"citizen force" nor to call out the militia. Whether or not the mayor was satisfied with such assurances is of no moment. Two-thirds of the entire force went on strike at six o'clock and whole areas of a great city were entirely without police protection. I knew the approximate numbers that were going out; others were informed, including the mayor and the police commissioner.

After a night of disorder the mayor asked Governor Calvin Coolidge to order out the national guard in Boston. The governor patiently informed him that no such order was required, that the mayor of a city was authorized by statute to call the troops stationed in the municipality at any time. When finally he got out these troops the mayor, or the commissioner, or somebody, failed to use them, to extend their usefulness efficiently. Troops outside the city were called for and promptly supplied by the governor.

Meanwhile the mayor was endeavoring to use his good offices to conciliate. A powerful effort was in process to arouse sentiment in favor of insisting that the issues in the strike be submitted to arbitration, to be determined by a committee of citizens. It was in effect an endeavor to continue the maudlin practices of dealing with labor disputes which had become really responsible for causing them. Or, putting it another way, the real causes of the police strike were to be used to settle it—and thus encourage more strikes!

Naturally, this continued tolerance of breaches of discipline made the governor restive. It must have appeared to him like an endeavor to set a compound fracture by absent treatment administered by a scientist a thousand miles away.

Then came a legal and seemly way for the governor to enter the municipality and take command of the police power. The governor was commander-in-chief of the state

militia which was sweeping into the city. He could not delegate such authority to a mayor. Wherever the militia mustered, there he must command it. It was the duty of the commander of the troops to direct their movement, to achieve the objective.

It was not an opportunity to become great, nor was it a time to consider political expediency. It was a thing to be done. It was the day's work. And Coolidge did it.

The Public Safety Committee had provided its chairman with a way to express himself in terms of giving and thus revel in the plaudits of beneficiaries. There was not any emotion in business to compare with the state of rapture he created and lived in for two years. The nearest approach to it had been shown at times by the employees of his factory. But they were too close to him. Their relations were more or less perfunctory; not anything there to excite a spectacular show of approval, and business prudence had naturally prevented him from gratifying any desire he may have felt to give without stint. We had a number of talks, found many places where we stood on common ground, but I failed to convince him that the methods he was pursuing were sure to promote instead of to prevent strikes.

Nor was I able to convince the "war governor" of impending dangers. He thought I was jealous of the apparent success of the Safety Committee.

"What difference does it make who settles the strikes or how, so they are settled?" was his comment. He lived long enough to see that there was a difference.

Thus, it is obvious that radicalism is not confined to the ranks of organized wage earners or Communists. If it was possible to determine accurately the percentage of radicalism in industrial relations, a fairly high content might be found among employers, public officials, civic organizations, and peace-minded persons!

CHAPTER II

Planting Communism Among Workers

From 1925 to 1929 there was a growth of Communism in the United States revealed in a threatening epidemic of industrial disorders. A few years ago there was a way to check it. But when that way was closed, Communists emerged from their retreats and defied government wherever administered. Intent on imposing a "workers government" on the United States, as directed by the executive committee of the Communist International in Moscow, the American section of this committee from its headquarters in New York extended its ramifications from coast to coast. The slogans of their representatives were: "Get the workers," "Organize the unorganized," "Defend the Soviet Union." To do this, nuclei of workers were planted in shops, mills, mines, and railroads, in every industry from Maine to California, north of St. Louis.

With these nuclei planted, the executive committee of the American section of the Communist International, through organizers and district organizers, keep in touch with local conditions. Where labor trouble threatens, and it appears to be a promising field in which to spread propaganda and promote a strike, Communistic organizers are directed to enter the field and "start something." There is no record in existence where a general strike has been won by a Communist practicing these methods. Every strike managed under such auspices shows a record of futility. Only a few derive a profit, and these are the organizers of the movement.

Fundamentally, the Communist movement in the United States is illegal. It aims to overthrow our government by force and violence. Its own thesis frankly declares the adoption and maintenance of a "period of illegality" pending its endeavor to establish the "proletarian" control of production. When this is accomplished, the Communist agrees, the "period of illegality" will pass. No matter what phrases are used by Communists to disguise the meaning of the "period of illegality," their objective stands out nakedly to prove them guilty of treason and inciters of riots and rebellion. An advocate of Communism cannot go into a court of justice with clean hands. Yet he does not hesitate to raise his unclean hands in any court and plead for the protection of a judiciary he is pledged to ultimately destroy.

A thesis of the Central Executive Committee of the Communist movement in the United States, published on "Red Day," August 1, 1929, defined a resolution of the eighth plenum of the Executive Committee Communist International as follows:

> The proletariat takes no pacific position as regards to war. The proletariat must know that war is inseparable from capitalism, that is, the "abolition" of war is possible only through abolition of capitalism, that is through the overthrow of the bourgeoisie [1] by armed uprising and proletarian wars against the bourgeoisie.
>
> . . . The proletariat, and its vanguard the Communist party, starts from the understanding that every imperialist war is a war against the working class, against the toiling masses. In every imperialist war the workers in each country work for the defeat of their home government, for the transformation of the imperialist war into a proletariat civil war against the bourgeoisie

[1] French definition is "middle class"; Communist meaning, privately expressed, is "ruling class" government. It is intended as a disguise in order to obstruct any prosecution charging them with advocating and plotting the overthrow of the government by force and violence.

for the purpose of establishing a dictatorship of the proletariat of Socialism.

"Although convinced that war is inevitable," the thesis continues, "under the rule of the bourgeoisie, the Communists, in the interest of the masses of the workers and of all the toilers who bear the brunt of the sacrifice entailed by war, wage a persistent fight against imperialist war and strive to prevent imperialist war by proletariat revolution. They strive to rally the masses around their standards in this struggle, and, if unable to prevent the outbreak of war, they strive to transform it into civil war for the overthrow of the bourgeoisie."

The thesis then outlines the "task for this purpose and with this scope is to link up all political and economic everyday struggles of the American working class with the war danger," with the defense of the Gastonia strikers and the right of workers "to protect themselves." It urges an enlargement of the number of shop nuclei especially in branches of potential war industries like mining, munitions, transportation; dock, marine, and chemical workers. Among the instructions is one that charges those in authority to pick out from members of any shop nuclei one who may be a promising subject for military training to serve as an officer when the time comes to arm the worker, or when the workers are under arms in an "imperialist war." "Comrade" Lenin is quoted as saying that "the only possible way of continuing revolutionary work after the outbreak of war is the creation of an illegal organization." The American section of the executive committee in 1929 declared in its "Red Day" thesis that "an illegal organization is also necessary in the struggle before the war breaks out."

Therefore, in a "period of illegality" the party and Young

Communist League are directed to create Communist nuclei in army and navy by means of "fraternization"; . . . "it must create Communist nuclei in the armed forces." It is purposed, during this "period of illegality," to expand the network of factory nuclei and make district surveys of the "more strategic centers for the mobilization of the masses"; for example, the party on the Pacific coast which has a special task to perform must strengthen its organization in general and particularly among the marine workers; the Seattle district in which the workers played an important rôle in sabotaging the shipment of munitions to Vladivostok during the intervention against the Soviet Union must organize especially in this situation.

"Similarly, districts like Connecticut, which are large centers for the manufacture of munitions, must concentrate on the building of factory nuclei in these large plants like the Remington Arms, Winchester Arms, etc. Districts like Pittsburgh and Cleveland must concentrate their work among the steel workers and miners. The Detroit district, where there is the manufacture of automobiles and tractors and airplanes, must realize the importance of strengthening the party organization through the building of nuclei in these plants. Similarly all districts must survey the strategic points in their territory, as, for example, the munitions, ports, railroad centers, shipbuilding, airplane building, chemical works, etc., and concentrate the best forces of the party in these industries. Districts like California and Kansas, which include the state of Texas, etc., where there are large numbers of Latin-Americans, must carry on special work among these masses. Likewise special attention must be given in those districts like New York and San Francisco, where there are to be found large numbers of Chinese and Japanese."

A "nuclei" comprise three or more workers in any shop,

and "is the setting-up of Communist fortresses in every factory." In interpreting a letter from the Communist International to the Central Executive Committee of the workers (Communist) party of America, a member of the committee explained the working principles of the shop nuclei in the following instructions:

Our shop nuclei units will participate actively in the election campaigns of the party, for it is in the factories that the greatest number of workers are found who are responsive to the Communist program. It is in the shop that the Communist has the opportunity to make the most effective individual appeal to the non-Communist worker.

These shop nuclei will become the veritable steel rods of the organized workers and the existing trade unions. In cases where the workers have not yet been organized into trade unions, our shop nuclei will serve as powerful agencies for the unionization of the unorganized workers.

More than that, the shop nuclei, forming as they do veritable Communistic phalanxes in the ranks of the employed masses, will be in a strategic position to prevent misunderstandings between the employed and the jobless workers and to unite both against the capitalists and their government.

In the shop nuclei our members will have a genuine opportunity to lend blood and life to the idea of workers' control of production and to win over the non-Communist proletariat, working side by side with them, to the idea of working-class ownership of the machinery of production and exchange, to the idea of the socialization of industry.

And when the workers of one industry, or of one plant, are attacked by the municipal, state, or federal strike-breaking agencies of the capitalists, the various government bodies, the shop nucleus system of party organizations will enable the Communists to rouse the workers in the other industries, in the other factories, to rally to the defense of their attacked brothers. With Communists embedded deep in the ranks of the industrial pro-

letariat, defense of the Communists by the proletarian masses will be much facilitated.

The shop nucleus brings our party into vital touch with the everyday demands of the workers and with the struggle of these workers who are not yet in our party, thus giving an immediate concrete basis for the plan of the Communists. This problem of working-class control of production must not, and cannot, be relegated to the realm of the actual moment of the revolution.

Many of our European brother parties have already made considerable headway in reorganizing themselves on this basis of the shop nuclei plan. The mightiest political party in the world, the Russian Communist Party, is organized on the basis of shop nuclei. It is precisely because of this that it has such a sound organizational foundation for achieving its splendid political victories.

The first step toward the Bolshevization of our party is the party reorganization on the basis of shop nuclei. With the reorganization on this basis, our party will rid itself of its social-democratic elements. Regardless of the theoretical correctness of our program, regardless of the true Communist character of our campaigns and slogans, our party cannot be a Bolshevik party unless it has a Bolshevik basis or organization.

Bolshevization of the workers (Communist) party means the application of the lessons of the proletarian revolution in Russia, and the lessons of the experiences of the Russian Communist Party indicate that a Communist party can achieve success in its struggle for the destruction of bourgeois rule and the establishment of the Soviet power only to the extent that the party organization is based on the proletarian masses. A Communist party cannot lead the working masses unless it is in constant contact with them and their needs.

A central executive committee comprised of thirty-eight members directs the activities of other committees through a centralized bureau called the Secretariat. The central committee is augmented by twenty-one alternates and ten

candidates, the latter being next in line to promotion to the central committee when vacancies occur. The authority of this committee is conferred by the Communist International whose activities are in turn coordinated with the Soviet Union. By planting men in factories it hopes to win through this channel a power sufficient to break down the government of the United States and substitute therein the form of government that rules Russia. It is not always possible to identify workers in any establishment as being affiliated with this movement. In a letter of instructions from the Communist International to the central executive committee in the United States the following caution is contained:

> We desire to draw your attention to the fact that a nucleus without isolating itself from the non-party workers and clerical employees ought so to conduct its work as not to permit the employer or his agents to see how the nucleus is working or to ascertain who its members are. The activities of a nucleus must be concealed from the eyes of the enemy and yet keep close to the working-class masses (see our letters of December 6, 1923, No. 1313, and January 10, 1925, No. 490 on this subject).

Pursuant to instructions from the executive committee of the Communist International, the shop nuclei are used to get out "shop papers." There is a wide variety of these, but their variation comes from the different types of editors who handle the material that gets into them. Since 1927 these "shop papers" have appeared and some of them are still appearing in all industries, widely separated, but they are confined mostly to the northern section of the United States, extending from coast to coast. Few have appeared in the South. These papers take the name of the mill or factory where they are circulated. In Detroit, a dozen or more have been issued in several of the automobile factories. Each publication is called "worker," but this title is joined

with the name of the factory against which it makes its attacks. Similar publications distributed in other metal trade shops, shoe factories, silk mills, textile establishments, and machine shops, all carry the name of the company that operates the mill or factory. Such publications vary in the number of pages they contain, their size being regulated by the amount of money collected by the nuclei planted in such industries. Information concerning the shop conditions within the plant is rearranged by some person outside who stimulates the movement within. Such publications appear suddenly among the workers in a factory. Few of them know where they come from, nor can many explain how they became possessed of them. A worker may find one on his bench, in the pocket of his coat or working clothes. It may be tucked under the door of his home. Some way or somehow they get into the hands of the workers and great is the interest—not to say consternation—created on the part of the executives of the company. This method of attack is effective for the reason that it invites immediate interest. It contains, in print, matter with which the workers themselves are familiar. To this extent, it has the same sort of appeal that a newspaper reader feels when he reads an account of something he knows about. Further, the mystery which surrounds these publications and their distribution adds to their interest. If the nuclei in a shop is made up of men who have capacity to influence and lead other workers, the employer—victim of this method of attack—is pretty sure to have a fight on his hands.

Money for these publications is collected at the outset from a few under the pledge of secrecy, and a promise that something is going to be done to increase wages. In some localities where this plan has prevailed, certain workers have increasingly chipped in for several months, but when

nothing concrete developed, they lost interest and the publication ceased to appear; but its reappearance remains at all times—or, as long as the present control in Russia directs the programs—a potential threat against the industry.

Containing the elements of interest enumerated, it will appear again unless the executives of a company exert every effort to make conditions within their respective plants impregnable against this form of attack. In other words, if there is nothing to be said in a plant except praise of its fair conditions, it is a poor field for a publication of such character. On the other hand, the existence of conditions which admit attack are certain to draw the fire of such publications, and with an influential nuclei, directed by a Communist organizer in accordance with the best Communistic form, the shop can be dominated by a minority and a costly strike promoted. The majority of the strikers may not be in sympathy with the type of leadership, but they are all interested and influenced by the thought that a strike, after all, may get them something.

Any one of these sporadic shop papers constitutes direct carriers for the germs of Communism. They are eagerly read because of local interest and daring criticisms of named "bosses," therefore serving as effective mediums for the spread of propaganda to "Defend the Soviet Union," "Get the Daily Worker," "Support the Young Communist League," and scores of other devices to get money from the workers.

The form of mass picketing advocated by the Communist authorities in Moscow, and promoted by its subordinates here, is similar to that which prevailed during the rail workers' strike at Chicago, and which caused President Cleveland to order out a regiment of United States regulars in order to prevent interruption of the United States mail service. Picketing is an extension of the meaning of "out-

post"—the placing of sentinels wherever military forces assemble either in peace or war times. A picket in a labor dispute is a sentinel assigned to a position where he can see who enters or leaves a factory where a strike or lockout exists.

In most states legislation regulating picketing has been enacted. A picket or pickets may now by "peaceful persuasion" endeavor to prevent workers from entering a factory where a strike exists. In other words, the intent of the law is that a picket may speak to a worker who is approaching or leaving such mill entrance in an endeavor to persuade such worker to join the strikers, or to become a member of a labor union. In New York the courts have fixed a limitation on the number of pickets, but in most states neither statute nor courts have defined the number of pickets that may be employed; their number, however, is regulated by common sense and custom, ranging from one to twenty-four, according to the number of strikers and the size and location of the plant.

Mass picketing during a strike is a fundamental of the Communist movement. The theory is to use a nuclei to get a following in the shop, and call a strike. A score or more of militant strikers sagaciously massed at the approaches to a mill can successfully prevent ten times their number from going to work. Where there is an accumulation of real grievances a majority of the unorganized workers will readily join the strikers, thus adding their numbers to the activities of the nuclei.

This device to organize strikers into mob formation was brought into action with telling force against several woolen and worsted mills located in Passaic and Garfield, New Jersey, until nearly fourteen thousand operatives were out on strike.

The strike originated in one of the mills, but all those

employed there did not come out at once. The strikers were massed at the entrances of the mills and lined the approaches in all directions. Every striker seemed actuated by one thought: "Get the rest and make it a hundred per cent strike." Into these lanes of animated fury the workers entered morning and noon, to enter again when emerging from the mills at noon and night. With each contact the strikers absorbed numbers of them. Working together in the same mill, though in separate rooms and departments, each operative was acquainted with the other, especially those of the same race. Groups of Polish-speaking strikers busied themselves with the Polish toilers, who still persisted in working. The Italian-speaking strikers "took care of their own people," as they phrased it. And so it went.

A worker leaving his home in the morning would be met by a picket. If the worker remained unshaken in his determination to go to work, other pickets joined in, and by the time he reached the mill he was surrounded by a bedlam of voices urging him to quit, calling him "scab," and uttering threats of dire punishment. If he was hardy enough to withstand these forms of "persuasion," emissaries of the strikers visited his home. Most always they were able to convince a wife or mother or sister that the safest place for their relative was in the ranks of the strikers. Many a woman hurried to the mill and took her man out. None of these women really knew what the strike was all about, but she was convinced of one thing and that was that the mill was not a safe place for her relative. These methods served both to pick off the working force and cause others to stay at home.

The body of strikers, elated by their success at the first mill, flocked to the next and pursued the same tactics. In a few days the workers there succumbed. Many of them joined the strikers with cries of joy. It was excitement. It

was something different—a poky existence, intercepted by a glamorous change. Naturally, too, a hopeful thought was stimulated in their minds that the demonstration would result in a reward in the form of increased wages. As each mill augmented the ranks of the strikers, they met with decreasing resistance at other mills. It was more than a show of strength. To the workers within such mills, it was a personal peril. It was not a case where workers are met by a picket line normally comprising two to a dozen pickets; it was a vast gauntlet of human hatred, expressed in more than a dozen ways by more than a dozen temperamental races comprising thousands of men and women.

By such skillful manipulation of mass picketing, the Communist leaders developed a drab controversy into a strike of national importance. This brought the money. A general relief committee was organized and directed by Alfred Wagenknecht, a member of the central executive committee affiliated with the Communist International of Russia, a notorious radical with several aliases, and sometimes called "Father of the Communist Party in America." German born, he was international delegate of the left wing of the Socialist party, but left it to become executive secretary of the Communist Labor Party in 1920. He had been in prison, was indicted for violation of Section 2, Article 9, of the Espionage Act, was a fugitive from justice from 1922 to 1923 when he was captured and fined for using false statements in applying for a passport. He was credited with being the brains behind the strike. Weisbord, the apparent leader, was merely the show piece.

A Communist named Biedenkapp assembled photographs, prepared appeals and other forms of advertising, under direction of Wagenknecht, that were sent out to "get the money." It is said that over $600,000 was contributed by sympathizers in all parts of the country. It has been

impossible to verify this, for the reason that those handling the funds did not render a competent accounting, but it is supposed that substantial amounts were paid out for food supplies, counsel fees, and organizing expenses.

The work since carried on by the Workers International Relief (W. I. R.)—an outgrowth of the Passaic Relief Committee—has become the most important of all the Communist organizations here. Its local secretaries in other cities are used to select nuclei in mills, mines, railroads, and shops in their district. Every activity of the Communist movement radiates from its headquarters in New York. It functions every day, including Sunday; and, like the famous brand of pills, it works nights, still directed by Wagenknecht, who is still a notorious enemy of our government. But he is a good advertiser. He gets the money. How much, nobody knows, except perhaps himself and his office. So far as known, the International Relief issues to the public no complete report of its receipts and disbursements. Its executives do not hold membership in any club affiliated with the advertising clubs of the world whose slogan is "Honesty in Advertising." An examination of the printed appeals sent out from the office of the Workers International Relief might be studied with profit by representatives of advertising clubs and Better Business bureaus, who are charged with the duty of protecting the public from false statements in advertising and unethical conduct of propaganda methods.

CHAPTER III

How Workers Are Made to Pay

The Workers International Relief has more than one objective in its crusades for money. There is prestige in money; with it a strike or many strikes may be promoted, with always a hope that one or more of them may be won; but if not, there is still money. I heard Wagenknecht, in the course of a talk before the Loray strikers at Gastonia, North Carolina, in 1929, outline to these American citizens what a wonderful work for the uplift of the working people was being performed by the International Relief, by the International Labor Defense, by the Young People's League, and other 100 per cent Communist organizations. He held out an implied promise of unlimited funds for their support, using every artifice of manner and speech known to a professional money-raiser to win their support and keep their loyalty.

He referred to himself as being one of them; that he lived as they did, on "workers' rations." When he told them this—in order to make it appear that he was willing and did suffer as they suffered, starve as they starved, needed clothes as they needed them, was without shelter as they were—he was a registered guest occupying a room with private bath at the highest-priced hotel in Charlotte. In the course of eighteen years as State and Federal Commissioner dealing with labor disputes, the author has seen many deceptions practiced upon workers, but this particular instance prompted in his mind an almost overpowering resentment against the speaker. It was pitiful. Here were

these poor, hard-working victims of the tragedy in the textile industry, in process of being duped by a German renegade; conniving to use them as a means to raise money to destroy the government they had helped to create and maintain, and I wondered why he did not go back to Germany or to that Mecca of the Communists—Russia.

The answer was easy. It is easy money here; we are an easy people. Everywhere there are those who are captivated by "bunkum" that is handed out to us by organized effort. All that is needed to start a money-raising campaign is the form of an issue which appeals to those who would like to appease a wrong, and while Wagenknecht was talking to the handful that remained of about one thousand Loray strikers, advertising literature was going forth from his office, soliciting donations for "ten thousand Southern strikers," and implying that one hundred and fifty thousand more were about to rebel against the "industrial slavery" in that locality.

Whenever the Communists are faced by court action, as in New Bedford, for conspiracy, or charges of murder, as in North Carolina, their press agents announce that the defense will be conducted by some well-advertised lawyer of national repute. Even the Associated and United Press, as well as the International News Service, which are likely to exclude propaganda, repeatedly fall for this form of bunkum. The lawyers, whose names are used, are not offended. They make the news columns, which keeps their names before the public—which is not bad advertising at all—and the public does not discriminate, but greets the name as an old friend—some one they have read about before. The connection means nothing, but the use of these names is important to the money-raising agencies of the Communists. They may slap into a folder a half-tone picture of the noted lawyer, and canvass their "sucker list" with an ap-

peal for funds to pay the expenses of conducting the defense of "victims of a capitalistic government."

The expenses of these trials are borne largely by friends and relatives of the victimized strikers in the localities where the trials take place. The foreign-speaking are especially loyal to any of their number in trouble. It is expensive for them, but they seldom complain, seldom blame those responsible until time enough has elapsed to enable them to look back and reflect. Time is the best agent to enable those to see clearly who have been mulcted of hard-earned cash. Those who are taken prisoners, charged with any particular offense, are promised a free legal service; but, in one way or another, they pay just the same. What isn't collected from the "sucker list" comes out of the pockets of workers. What appears to be a mighty resource of legal protection to the Communistically-annointed, is really supported mainly by foreign-speaking workers whose enthusiasm for a "workers' government" is played on to the limit, especially when a drive is on to separate them from a part of their earnings. Then, again, a substantial number of these foreign-speaking workers are unnaturalized, some are here illegally, and they have a vague notion that Communists are a good crowd to stand in with, to help them when the time will come to defend their claims to citizenship.

Like the International Relief, the International Labor Defense is another agency for raising money, ostensibly to care for the legal expenses of workers who get into trouble as a result of following Communist leadership. The promoters of the Labor Defense are less tactful in their advertising letters than the executive secretary of the relief branch. A representative of the Labor Defense was on the ground at Gastonia almost from the inception of the strike. Therefore, it is assumed that he had knowledge of the leaders' plans—in fact, he was one of the leaders. Yet those

poor workers were used to promote activities that were violations of the law and also detrimental to their interests as workers. When the alleged strike had "petered out" and the remaining strikers were evicted, living in tents and depressed by a sense of helplessness they resorted to what was expected of them—a show of arms.

The police chief was killed. When the authorities gathered in sixteen Communist leaders and charged them with the crime of murder and its complicity, the two money-raising organizations were thus equipped with a sensational appeal with which to canvass the country for donations for their defense. Literature was immediately issued from the New York headquarters of the Labor Defense. Much of it contained false and misleading statements, and all of it was lurid. Even the envelopes were labeled "Smash the murder frameup; defend the Gastonia strikers." The post-office authorities refused to transmit mail matter on which was displayed a statement in conflict with the postal laws.

One of the printed appeals for money is enough to show the character of the Labor Defense:

> The fate of the fourteen leaders of the Gastonia strike, members of the National Textile Workers Union, who are now in jail charged with complicity to murder, is the concern of the entire American working class. The Southern mill owners are determined to drive the union out of the South! The 300,000 textile workers of the South receiving an average wage of $8 to $10 a week, working on a 12-hour day shift, suffering an intense speed-up system, working and living under indescribably unsanitary conditions, revolted and went on strike.

It may be pointed out that the fate of those in jail did not become the "concern of the entire American working class." The charge against them of "complicity to murder" was the result of their own reckless leadership.

While the National Textile Workers Union claims to be a union, it does not resemble a union except in name, and the name itself was selected in order to be as near as possible like that of the United Textile Workers—a legitimate trade-union organization, affiliated with the American Federation of Labor. It is without substantial membership, a mere handful here and there, but it is the headquarters for planning nuclei in textile establishments, and a sort of hangout for those who derive their main support from collections from meetings where they are called upon to speak. The claim made in the Labor Defense literature that "300,000" textile workers in the South "revolted and went on strike," was fantastically untrue. The largest number of employees on strike in North Carolina and South Carolina in the winter and spring of 1929 at any one time was less than 6,000. The highest number of strikers led by the National Textile Workers Union under Communist leadership at the Loray Mill was less than 1,000.

Therefore the drive of the Labor Defense was not for the successful conduct of a strike to better the condition of the workers. The strike had been lost. Nor was it used as a medium to make true and accurate statements, as manifested in its literature. The main purpose shown was to raise money, ostensibly for the deluded victims charged with complicity to murder. So they continued to derive a living from a movement that had hurt the workers personally by sticking a tin cup into the hands of the credulous and generous-minded.

After getting into trouble with the post-office authorities, the Labor Defense and the Workers International Relief combined in an appeal to the local secretaries of both branches to hold a "national defense and relief week." Instructions were given to arrange "joint affairs, picnics, mass meetings, conferences, tag days, shop collections, and house-

to-house collections." The most unique aspect of the combined plan was to "secure signatures demanding the release of the fifteen framed-up workers, each signer to pay ten cents."

It was agreed that all money so raised was to be divided between the two organizations.

Petitions containing twenty-five spaces for names and addresses of signers were rushed out by mail to all local secretaries with instructions to have them circulated by their followers and return them, with the money, to either organization. As these petitions—some filled, some partly filled—came in, a blank petition was at once mailed to each signer with a direct appeal to him or her to hustle out and get more names at ten cents per name. Each signer asked to pay ten cents with a signature to help cover campaign expenses paid out of his own pocket the price usually paid for names by any concern that buys a "sucker list." This plan was capable of becoming an endless chain, to bring in a continuous flow of money. Also the case itself was susceptible to repeated solicitations. "Sucker lists" could be canvassed for money to defend the cases in court, canvassed again in case of conviction to carry appeals to a higher court, and canvassed again to petition the governor for leniency or pardon. The "frame-up" victims served a purpose. They were inched along into a situation that provided a plausible reason to collect money from those whose normal habits of industry enable them to earn it honestly.

First, it was a protest "against the Gastonia frame-up" at ten cents per protestant; then it was used as a reason to solicit raising the sum of $40,000, "needed for the expenses of the trial and to give relief to more than one hundred victimized textile families in Gastonia." When a jury found the defendants guilty and the court had imposed jail sentences, the Communist organizations seized the opportunity

to use it as another step in their campaign to raise money, first to provide bail for the convicted men pending appeals, and, second, counsel fees for the "enormous" expenses required to "free the framed-up victims of capitalistic hatred." It was explained further that these workers must be saved to carry on the fight for a strong textile union in the South. The textile families owed their plight to a Communistic leadership which "victimized" them by a hopeless endeavor to organize a "strong textile union in the South," contemplating in its membership both white and colored races!

Aside from some possible sporadic outburst, the Communistic effort to promote successfully organization in the South was over soon after it started. Contacts designated as nuclei were made in certain mills but they were confined to a small area. Certain of these nuclei were made up of persons who possessed a considerable measure of influence with mill workers. Where this condition obtains, the nuclei will be troublesome, from time to time, in the communities where such mills are located.

The Communist movement does not fit the South any more than it does any other locality. Its leaders talk about helping the workers and promise much in the way of wages, better conditions, and hours of labor, but these promises have not been fulfilled elsewhere and are impossible of fulfillment in the South. There is not one case on record which shows a strike won by Communists in the textile industry. There is plenty of evidence to prove that Communists have used the workers as a means to raise money, ostensibly to help win a strike.

No fair-minded person should hold any of these misled mill workers responsible for their activities in going on strike. They, in common with workers, elsewhere, were incensed by grievances. Swayed by plausible promises of

Communistic leaders, it is not remarkable that these workers selected this method as a means to enforce their demands. They felt the need of expressing themselves concertedly and, in this time of need, the Communistic leadership appeared to hold out the greatest promise for success. It is natural for human beings to make mistakes but it is difficult to convince them that they are mistaken. It is perhaps a better way to let them discover their own mistakes and then they are less likely to repeat them.

A temporary "flyer" in Communism will not permanently affect any average worker. Of course it will affect some; but the few who become permanently addicted have something the matter with them anyway; there are always some persons in every community who complain that the rest of the people are out of step with them. But substantially all workers who recover from the influence of Communism, are just as good workers and citizens as can be found anywhere. No employer should discriminate against them because of their activities, for the workers are as thankful for their recovery as any one else.

A conference of shop delegates of the W. I. R. held in New York is typical of the organization's scheme to "work all the workers." All who entered were met by a collector at the top of the first flight of stairs. As one approached, he shook a coin box and between rattles he explained that it contained donations for Gastonia relief. At the top of the next flight, two solicitors met the customers. One presented a rattling coin box, the other a tin pan partly filled with the W. I. R. emblem. One could not well pass without making a contribution. On the third and last landing, two women sat at a desk, registering each person who entered. They, too, sought subscriptions for Gastonia relief, and also solicited memberships in the W. I. R. Two other women workers, each with a coin box, hovered in the

area to catch any "sucker" who had by some miracle escaped the "stairway holdups." Within the hall where the conference was held another man with a coin box repeatedly passed through the conferees; while another sold a better grade of emblem buttons than those offered on the way up. Another man sold copies of *Solidarity,* the W. I. R. publication, and yet another sold *New Masses.*

At any scheduled meetings of longshoremen, needleworkers, or shoe operatives, may be seen one or more pretty girls selling some sort of Communist publication. Most of the Communist organizations publish an official organ, the two main money-raising organizations, the Workers International Relief and the Labor Defense producing the best ones of their type. Their superiority, however, is accomplished because these two organizations are more systematic in their efforts, besides having a wider field. Their contacts with the worker are larger, and they are continually revising and improving their "sucker lists."

It is amazing, when one examines these lists, to find therein the names of men and women regularly contributing to these alien organizations. I have talked with some of the "friends of the Soviet Union" and, with one exception, they thought their contributions were being used to help succor the starving and bring sunshine into the lives of little children.

The growth of Communistic organizations since 1926 has increased the contacts between these organizations and American workers but has decreased the chances of any one of these organizations collecting large sums of money. The successful campaign for donations to carry on the strike in Passaic has not since been duplicated nor even approached as far as results go. Over half a million dollars was raised for the relief of strikers in that city. Money poured into

the outstretched hands of Weisbord, Wagenknecht, and Beidenkapp from all directions.

It was winter, cold, snowy. One thought of the "poor textile operatives," distracted by a drastic cut in their wages, huddled together for warmth and shelter on the lee side of a silent woolen mill, hopelessly watching a harsh wind driving a blizzard up the street. Skillfully taken photographs distributed by the Workers International Relief encouraged this fanciful thought, too. It was near New York. No other competing news feature was in the field then. It was first-page stuff. The dailies spread it. The first try-out in America of the Communist method of "mass picketing" was successfully used. To combat this form of rioting, the police turned a fire hose on the strikers—in the dead of winter. Every form of violation was resorted to in a studied endeavor to provoke the police into acts of violent repression. These were depicted in photographic and descriptive matter mailed broadcast—a convincing follow-up of the newspaper stories. It helped to bring in the money to the Communist leadership. But the latter was new then. There was not any competition in the Passaic field. The textile workers were unorganized, unaffiliated with any responsible, recognized union. The strikers appeared to be justified in continuing to use the strike as a means to enforce their demands. Their leadership was aggressive and seemed to be brilliant in executing the drive against the employers.

That is why the labor unions all over the country sent contributions. But instead of winning the fight for the operatives, the leadership lost it. And organized labor awoke to the fact that the Communist leaders had used the strike and the strikers purely for money-getting.

Since then the Communists have not had such "easy

pickings" from the public and labor unions. A group of Communists mulcted the fur workers in New York but it was their money. An opportunity to cash in on the New Bedford strike in 1928 seemed promising and Communists flocked there in droves. But an established labor union was there, had been for many years, and its representatives knew all there was to know about the methods and practices of the Communists as labor leaders. Therefore, all unions affiliated with the A. F. of L. had knowledge of conditions, and appeals for money sent out by the W. I. R. and I. L. D. were "laid on the table." Then, too, independent and responsible labor organizations, like the Amalgamated Clothing Workers, Federation of Textile Operatives, and the Railroad Brotherhoods, had acquired a good understanding of the Communist movement—the sort of an understanding most likely to retard the giving of money in response to an appeal from that source. What little money came in to support the Communist campaign in New Bedford was snatched from the pitiful savings of the workers themselves. The effort to stimulate collections to "feed the starving miners" was also fruitless, except that it helped to bring in enough to feed and shelter the office force of the Communist movement and pay the traveling expenses of its executives.

Then came the "Gastonia Frame-Up." To the Workers International Relief and Labor Defense this case seemed to possess all the elements of the Sacco-Vanzetti appeal to promote a successful drive for money but it did not—at first. The names of those implicated in the murder charge lacked appeal to those whose emotions are measured by racial loyalty. Then, too, the Communists had lost the support of the labor organizations. Again, in their constant demands for money they had overworked their "sucker lists." By stealing one of these lists from a more dignified organiza-

tion, they had alienated a source of money theretofore dependable in any emergency.

So, having exposed both themselves and their methods to a substantial number of normal givers, they were reduced to the picayune practice of snatching change from the workers of their faith with a tin cup and collecting ten cents each from those who signed one of the "carloads of petitions to go to Gastonia in protest against the monstrous frame-up of these workers."

Communists defraud each other as they do the public. They are as dependable as any revolutionists or those trained or accustomed to revolutionary activities. Whenever they take part in a strike the so-called leader is criticized—under cover, at least—by those who complain that some one else could lead the movement better. Like many persons addicted to profuse speech, each is more interested in his personal view, and in securing an opportunity for its expression, than he is in listening to the words of others, or following the form of leadership that may be on top at the time. No person in his right mind will make an agreement with a Communist, for no matter how many concessions the latter may offer the agreement will be violated and any promises made will be broken. An employer who enters into an agreement with a Communist has only himself to blame. The agreement is made to break—not to keep.

A Communist, backed by a fur importer holding a large Russian concession, developed a plot in the fur industry in New York which resulted in a seventeen-weeks' strike, the expenditure of nearly a million dollars of the workers' money, and an odor of pillage and graft which extended to surprising localities. This Communist got control of the joint board of the Fur Workers' Union by agreeing to support the nomination of ten members put up by the conservative element, if the latter would support ten nominated

by himself. When the election took place, however, it was found that the names of the conservative members on the ballot had been substituted by Communists. This was a foundation for planting a strike in the industry.

The joint board then composed of Communists elected a committee of five to recommend a general strike committee. The latter created seven more committees which ranged from a general strike committee of five to a control committee of three. A majority of all members of the committees was controlled by the Communist leader. He appointed the chairmen. Several of these men were unknown in the labor movement and inexperienced in dealing with the major problems of a strike, but they were faithful Communists, loyal to their leader. Seven joint board members, and four business agents, all veterans, conservative and competent, were given no part in the committee work, nor did they hold membership on either of the strike committees. The leader himself became chairman of the main strike committee, but the president of the union was relegated to the position of secretary, which he refused to accept, subsequently giving as a reason that he believed it was to be a one-sided committee.

With this layout the Communist leader, with his following, started in to develop "class-conscious workers" in the "struggle to accomplish the overthrow of the capitalist system." The joint board made over all the cash in the treasury, including trust funds, to the strike committee without authority of their constitution or any precedent in the labor movement. Some $900,000 to $1,000,000 was expended without a complete record or vouchers. Checks made payable "to bearer" running into thousands of dollars were collected and not explained. A lawyer received something over $78,000, of which less than $2,500 was supported by bills for retainer and services.

All this money came from the workers. They had first earned it and then paid it into the treasuries of their several locals in the form of membership fees and assessments. It was a price they had willingly paid for an insurance of good working conditions, fair wages, and short hours. What had taken them years to accumulate in the treasury of their unions, was dissipated in a few weeks, and, in addition, obligations were assumed in the form of loans and the making of bonds which took them years to pay.

The American Federation of Labor came to the rescue of the workers and salvaged all that was possible from the wreck. A committee of international and local representatives of the Federation was appointed and a survey was made of the Communist influence in the industry. The examination was complete, except that the committee found it impossible to secure a competent accounting for the expenditures. Two certified public accountants attempted to audit the books, but the audit was repeatedly frustrated by Communists interested in preventing an accurate explanation of the alleged expenditures. The original cash book, it was claimed, was supplanted by another of a more recent date, which accounted for only a small part of what was actually expended. Enough evidence was found, however, to establish the presence of studied and intended fraud; and testimony, subsequently presented in court, showed a connection between the Communists and public authorities, indicating that substantial amounts were paid for "protection and influence."

The American Federation of Labor cleaned out the Communists who dominated the leadership, thus protecting thousands of workers against further loss of their hard-earned money, and restored the Fur Workers Union to a position comparable and consistent with the high standards

which the Federation seeks to attain and maintain in the conduct of its union activities?

The Communist leader endeavored to recover his lost following in 1929, but a show of strength proved that he had lost it entirely. By much talk, many pronouncements, and a blare of trumpets, he declared a strike in the fur industry. With all the loud acclaim made in the Communist press, daily and weekly, together with his own claims, it was difficult to estimate the strength of his following. It was feared, however, that a large enough number would come out to organize into a body to attack those who remained in. Elaborate precautions were adopted by the police department and the unions to meet the threatened attack. But when the day of the strike came and, figuratively speaking, the whistle blew, not enough radical workers responded to make a corporal's guard. Those who came out were so tainted with Communism that it was impossible for them to conceive that any Communist would commit a wrong, but these few, less than a hundred in number, made a sorrowful admission of weakness to the workers who stuck by their purged unions.

It was another demonstration of the people by the people, that some of them could be fooled some of the time, but not all of them for any great length of time. The leadership in 1925-1926 had exposed itself to the satisfaction of the workers. It had squandered their hard-earned money and used them, as a Communist will use any body of workers, as pawns to accomplish personal gain.

This form of leadership is usual with Communists wherever located. They are mental revolters against things as they are. Their idea of progress is to revolt and conduct a revolution. They are short-sighted, however, in not making a correct appraisal of themselves. They show a lack of understanding in failing to recognize the soundness and

integrity of government? No matter how skillfully a Communist may conduct a movement he will find himself eventually without cooperation, because of the large number of Communists who believe that they are more competent to conduct the affairs of the movement, than he is. Be it an alleged labor movement, strike, or other fund-raising scheme, it is based on unsound principles, promoted by unsound persons and doomed to inevitable demise.

Communist strike leaders do not endure because they do not win anything for the workers. They take from them. The reason the Greens or Hillmans or Doaks or Nolans or Wrenns remain before the public, year after year, is because they maintain labor governments that are American in principle, and which protect its membership with intelligence and integrity; mindful, too, of the rights of those engaged in industry. There are, of course, here and there, men and women in the legitimate labor movements who use their connections for personal gain, but they—like the Communists—do not last long.

CHAPTER IV

Teaching Children Allegiance to the Red Flag

Next in importance to the well-planned nuclei of workers in industry, the executive committee of the Communist International urges its following in the United States to organize the children of workers. These instructions are carried out by two organizations: one devoted to children under fourteen, called the "Young Pioneers," and those over that age are solicited to join the Young Workers Communist League whose headquarters are in New York. The reason, as explained in the instructions, is that the study of "class consciousness" should be implanted in the minds of the young "that they may at all times realize that they are children of workers and nothing else."

Such schools will be found in industrial communities where the population contains a large foreign-speaking element. Most of the schools are taught by women; but here and there a man may be found industriously plying the minds of the children with the doctrines of Communism. Such schools are bound to spring up where Communists take part in strikes.

The protraction of the New Bedford strike provided ample opportunity for the Communists to implant their faith and sow seeds of discord among the strikers and their children. Communist schools for the children of the workers were organized by a woman principal and a male organizer of the Young Pioneers, an organization intended to compete with the Boy Scouts. Children enrolled in these

schools signed a card pledging a weekly contribution and also subscribed to the following oath:

> I pledge allegiance to the workers' Red flag and to the cause for which it stands—one aim throughout our lives—freedom for the working classes.

When the public schools opened in September some of the primary and grammar grades were disturbed by the actions of the pupils whose minds had been tainted by a training consistent with the Communist pledge which they had taken: a small boy thumbed his nose at the United States flag when his class was asked to salute it; a children's strike against the public schools was called, and little boys came with pockets filled with stones for the purpose of protecting themselves when a picket line threatened to make a ring around the school and stone the windows; a woman organizer secured the names of teachers in one of the schools and coined nicknames to aid the children to show disrespect.

She also instructed the children to put out their hands but not to utter the pledge of allegiance when asked to salute the United States flag. She told them that their pledge to the Red flag was enough. Children were instructed to "Salute the Red flag when you see it, but say nothing when you see the American flag."

Further, these children were told to walk out if any attempt was made by a public school teacher to keep them after school on afternoons when Pioneer Club meetings were held. Children were told that the public school teachers should "buy clothes and shoes for you"; that "teachers tell lies to children"; that "teachers don't know anything"; that "public schools are no good."

Certain children were instructed to wear poor and ragged clothing and boys were told to go barefooted when they called at the mayor's office. Other school children, who re-

fused to join in a parade to the mayor's office, were called "scabs." A boy who was given a title of leadership was so impressed by the honor that he tore the United States flag from its stick in the schoolroom and threw it on the floor.

Communist teachers also act as strike organizers. Such teachers never miss a chance to foster in the minds of children a hatred for the public schools. Any Communist teacher feels that it is quite ethical to resort to falsehood and misrepresentation in order to create prejudice in the children's minds.

The following excerpt from the speech of a Communist teacher delivered before a gathering of strikers is typical:

"The school teachers are poisoning the minds of our children. A little girl—the smartest of her class in a certain school—told me that she did not get the silver cup for leading her class because she went on the picket lines, and the child's teacher told her so. Isn't that awful, fellow workers?"

At an evening meeting of the strikers and their families, which contained some entertainment features, a Communist teacher who acted as conductor of the meeting, announced: "I want all the mothers and fathers who are interested in the Communist movement to send their children to the Young Peoples League." The meeting closed at 10:30 P.M. with a ceremonial conducted by fourteen girls who sang the anthem of the Communist International. The audience was requested to stand and did stand during its rendition.

The chief of police assigned an officer to attend a Communist school opened in a vacant clubroom. He entered and took a seat. The children were startled and the teacher was disturbed.

"What do you want?" the teacher asked.

"I want to go to school," the officer replied blandly.

"But you can't," she gasped.

"Sure I can—I'm old enough," he asserted.

The exasperated female Communist dashed out to the nearest telephone and got the chief of police at the other end.

"One of your men is attending my school," she complained.

"Well, is he behaving himself and studying hard?" the chief countered.

"That isn't the trouble," she explained; "he has no business here."

"But he is there and he has orders to stay there as long as the school is in session," the chief said.

"Do you send policemen to attend meetings of the Boy Scouts?"

"No, but I would if they were taught to rally around a red rag instead of the American flag."

"Don't you dare call the Red flag a rag, you bosses' agent, you!" the woman stormed.

The chief, having said it, stood his ground. Then she delivered an ultimatum.

"If you don't take your man out I shall close the school and tell everybody that you are responsible for closing it."

So the chief took on another responsibility. The teacher of Communism, now in a flaming rage, returned to the schoolroom, picked up her belongings, including the desecrated "red rag" which she handed to one of the boys to carry, and hustled her dismayed scholars from the presence of the representative of the police power of the municipality.

The chief was within his rights, however, though some legal authorities appeared to be doubtful. In the first place the school was without a charter and in the second place it was being conducted in a building which had not been ex-

amined by the state authorities to determine whether or not it complied with the law relative to fire hazards.

But aside from these local considerations the chief was supported by State and Federal Statutes which exclude from all a right to supplant the flag of the United States of America. Therefore the teacher was a fit subject for arrest on a charge of teaching others to pledge allegiance to the flag of another country.

Many of the children attending these schools were subnormal but a majority were victims of poor home surroundings. For instance, three tots were unsupported by a father. Their mother worked in a mill as a spinner. Her wages supported the household and she did most of the work besides. The children did not wear as good clothes nor shoes nor have the playthings that other children had. Four other children had no mother. Their father worked in the picker room of one of the mills.

But they, like others in like need, hankered for better things. Therefore, when they became the special pupils of a special school naturally they blossomed in the warmth of this unlooked-for attention. It was easy for a Communist to elate them with promises, win their loyalty by giving them places on committees, pinning on them a button of membership and authority in the Pioneers, writing their names on a "roll of honor"—all the little attentions denied to them before because of their poverty and poor home life.

A group of children was brought to New York from Gastonia, North Carolina, and one of their Communistic sponsors entertained them at her home for the night. They wanted to write a letter home, and she cleverly volunteered to write it for them on the typewriter. She anticipated what they wanted to say, but the words were hers. The poor little things thought they were dictating, but

when the letter was finished it was of a sort that could be circulated among the deluded Gastonia workers and broadcast by the various channels of Communist publications. These children were used as bait to solicit money for the "cause." It might be regarded merely as a part of a business function, but the most serious aspects to them and to others are the lessons they are taught.

Some of them were sent to the W. I. R. camp for children near Wingdale, New York. This camp is supervised by the Young Workers' Communist League, and is located on ground occupied by the Unity Cooperative camp, a notorious radical organization whose red flags flauntingly announce to the rest of the United States that here at least is an agency loyal to the Soviet Union. The Young Pioneers told these children of 100-per-cent American mill workers of the wonders of Soviet Russia and the plan of the workers here to make the United States like it; that this country and everything in it belongs to the workers; that they should help to fight the "bosses" to get it and establish a workers government, here. They were taught to sing songs expressive of solidarity, of contempt for God and country. "Wipe God from the sky," is a line from one of the songs, typical of the Communist contempt for the religious influence in our individual lives and for our collective discipline. In evidence of their desire to inspire hatred and intolerance for American ideals, a sign hangs in the camp office containing this declaration: "Fight the Bosses Boy Scout Camps."

In the evening the children took part in an entertainment, at which gathering the inevitable drive for "relief money" was made. Nearly one thousand campers were there, mostly adults, all foreign-speaking, less than 12 per cent naturalized citizens. The entertainment was brought to an end with mass singing of the International, a stand-

ing salute to the Red flag, and the gathering dispersed singing the Red march song of hatred of our government.

The following morning the children were awakened by a shrill whistle and loud voices proclaiming "the world is ruined" and "the nation is booming," mixed with a profane phrase, "God damn it," for everything. I heard no explanations of why the world "ruined" was a nation "booming." Perhaps none was necessary among the "class conscious." The children were turned out and marched to the flagpole. Looking aloft at the Red flag, they proclaimed their allegiance to it, and joined in singing the Red song of hate. Then they went back to their tents to wash up for breakfast. Here, again, they heard profanity and used it themselves.

The program at Lenin Hall varied. Lectures were given in Communism, and lessons were taught which seemed most likely to inculcate in the minds of the young a contempt for God, disloyalty to any form of government except the Soviet Union, and an unnatural appetite for the bizarre and unconventional. Occasionally the children were taken on a hike up the mountains which gave Nature, at least, a chance to purge their thoughts of unnatural things. Like all "red" camps maintained in summer near large cities, they are wholly "red" in fact and spirit. Morning, noon, and night, Communism is preached, taught, and argued. Followers of Communism are unharassed by the sight of the Stars and Stripes.

The only use they make of the United States flag is a mercenary one. One was kept in a closet at "1 Union Square" to be dragged out to give a meeting in the square a semblance of patriotic purpose or respectful adherence to the customs of the country. But the real purpose of its use is to be able to show, if arrested or dispersed, that they

were carrying the American flag and, therefore, were peaceful and law-abiding; also patriotically inclined.

In staging a parade without a permit the American flag is prominently displayed in the front ranks, backed up by little children carrying smaller ones. When arrests follow, a Communist photographer is on the ground to make pictures of "brutal police Cossacks" breaking up a "peaceful parade." Of course it was "peaceful"—there are the flags to prove it. The "capitalistic press" used to "rise to the bait" and buy these pictures as a matter of timely news. Their appearance as a dress for the story helped to substantiate a claim in court that the paraders intended a peaceful purpose.

Authorities in some states act decisively when "red" schools and camps hoist the flag antagonistic to the "Stars and Stripes." Some others are passive. They appear to believe that the unpatriotic display is confined to a few and, therefore, unworthy of official notice. Why start trouble, they argue, when the offenders otherwise appear to behave themselves? This is as good logic as that offered by those who believe a clean neck is as far as it is necessary to go with soap and water.

The Young Pioneers were organized to compete with the Boy Scouts, in a small way, as the Workers International Relief was created to compete with the Red Cross. One of the girls who took part in the demonstration of hatred for the Boy Scouts when they sailed from New York for the 1929 "jamboree" explained to me the purpose of the demonstration.

"The Boy Scouts of America," she said, "are the sons of capitalists. They were going to celebrate with the capitalists' sons of Great Britain and other nations. They are all being trained for war against the workers. We are going to send delegates to the Soviet Union. We can't afford

to send more than six or seven, but they will all be workers' children—representatives of labor in different industries."

She hoped that one of the delegates would be a negro, one who, she claimed, was refused admittance to a Boy Scout Camp for white boys near Philadelphia. She was greatly pleased at what she termed the "successful showing" the Pioneers made at the dock. "We gave the police a hard fight."

But the real purpose of the demonstration was for more publicity. It was successful in making the news columns in the "capitalist" press—the free advertising which "shows to the bosses what a fighting spirit they have to reckon with."

CHAPTER V

Turning Communists Loose

When the governor of one great state in 1929 stated in effect to the governor of another great commonwealth, "I will not render to you the person of a seditious Communist for trial on a charge of conspiring against law and order in your state," and a judge of the Superior Court of the latter commonwealth turned loose a group of indicted Communists, they gave these avowed enemies of our government further opportunities to ply their trade of promoting breaches of industrial peace.

The grand jury of Bristol County, Massachusetts, in November, 1928, had indicted for conspiracy twenty-five Communistic leaders of several thousand striking textile operatives of New Bedford. As a result of such leadership, over one thousand of the strikers had committed breaches of the peace and had been arrested—many of them repeatedly. First offenders were liberated; then, as the offenses were repeated, they were fined, and finally jail sentences were imposed by the District Court judges. Appeals were taken and when the session of the Superior Court convened in November, there were nearly one thousand offenders ready for trial. The six months' strike itself had been settled in October, by agreement between the manufacturers and representatives of the United Textile Workers Union. The settlement had been vigorously opposed by the Communists, but when made, the followers of the Communist leaders flocked back to work in concert with those who were members of a legitimate labor organization.

The November term of the Superior Court—commonly called the "short term" because of its duration—was unable to reach the strike cases, and they went over until the February term, which began in that month and extended into March.

A judge of the Superior Court presiding at this term announced from the bench that he would accept pleas of nolo contendere in all cases, and put the offenders on probation. This was regarded as a proper disposal of the cases of those who had blindly followed the directions of Communistic leaders, but he included in this sweeping decision the leaders themselves. Among the twenty-five indicted for conspiracy in November were several unnaturalized citizens and avowed enemies of the government.

A few weeks later, two of them had started a strike in Gastonia, North Carolina, which culminated in floggings, unimpeded mobbery, shootings, and murder; another had gone to Philadelphia, and there preached sedition against all forms of our government—municipal, state, and federal—besides starting a campaign among members of labor organizations to revolt against their own unions. Another Communist was protected by the governor of the State of New York, when the governor of the Commonwealth of Massachusetts requested his rendition on extraditionary proceedings. A few days later, the beneficiary of this unusual protection engineered an attack on the shoe industry in Greater New York, which resulted in many serious injuries to workers and policemen, a serious upset in the industry and the closing of several shops, lost jobs for many workers, and losses in money estimated to be in excess of $200,000.

"No issues of great moment are involved," the judge had said. None, other than the preservation of law and order which he was under oath to protect. "No one seeks judicial

determination or definition of any important rules in civil conduct," he explained. A grand jury of the county had presented to him by indictment twenty-five avowed enemies of our government—men and women who had repeatedly flouted the "rules in civil conduct" by urging their following to break the laws of the community, to incite to destroy, to teach children by the Red oath of allegiance to hate the public schools and teachers, trample on the Flag of the Free—but, according to the judge, such disregard of fundamental principles of law and order required no "judicial determination or definition." Dismissing the enormous breach of industrial peace with the concluding assertion, "such a disposition will end the industrial warfare so far as the court is concerned," he admittedly shirked a public duty.

And when he declared it would "invite industrial peace," it really invited a repetition of the same offenses. Some of the "whitewashed" Communists went to North Carolina and started a strike that lost a thousand workers their jobs, homes made by their own hands, the suffering children their schools. It cost the cities, counties, and state and federal government many thousands of dollars. Another group of Communists solicited funds from the public, allegedly to help these misled workers. Still another group raided the shoe industry. Strikes were called in several localities. At one time during the spring of 1929 there were between eight and nine thousand shoe workers on the streets in New York, Philadelphia, and Boston, a majority of whom lost their old jobs. This was the predicted savings in taxes, in jobs, in production—an acceptance by Communists of the invitation extended by the judge to partake of "industrial peace."

Let us look over some of the evidence which the judge brushed aside with the comment that "no issues of great moment involved." A thousand persons had been arrested

during the strike; many of them had been arrested several times for various offenses, from disturbing the peace to rioting. The police did not arrest them voluntarily, and the strikers were not seeking arrest because they liked it; Communist leaders drove them to commit illegal acts. The grand jury reported that a Communistic leadership was responsible for this great number of arrests, and indictments were found against twenty-five of the leaders. The charge was conspiracy—that is, conspiring with others to break the laws.

In New Bedford—as in most all cities—a permit to hold a parade must first be obtained from designated city officials. The Communists had made applications for permits. Some had been granted, others denied. At the height of mass picketing, rioting, mill stoning, and other acts of lawlessness, the Communists announced that a parade would be held. They asked for a permit, which was refused. Much was said by speakers about this refusal. One of the leaders, speaking before a meeting of his followers, declared:

> We are going to parade tomorrow. Don't pay any attention to what the police say in the papers, that the mayor or chief will not grant a permit to parade. I have a permit from a bigger authority than they are. We are going to have all the children together in line and the women wheeling their baby carriages. These will be followed by the men. Everybody will carry an American flag. The police will not touch any one that carries a flag.

When he urged his following to turn out for the parade he waved a sheet of yellow paper which was accepted as evidence that it was the permit he claimed to have, but it contained only the names of the streets that the line of parade was to follow.

So, when the speaker declared that they were "going to parade" he put the thought into their minds that an ordinance—a law regulating municipal conduct—was of no consequence, and, of course, he lied when he claimed to have something which he did not have. Note, too, that the plan to line up the children and women wheeling baby carriages in the front ranks, was strictly in keeping with the Communistic custom of hiding behind the weak and innocent. Everybody was to carry an American flag so that the police would not touch them. I sometimes wonder that a Communist does not see a joke, but as most of them take themselves so seriously I suppose it is impossible to look for a sense of humor in their ranks. Perhaps, though, it is not humor, when an adherent of the "red" flag of Communism decides to carry an American flag to protect himself from arrest for violating a law supported by that same flag.

Another speaker at this meeting—Biedenkapp, by the way—urged his listeners to break the law in the following language:

> We are going to have our parade, one that the police won't be able to stop. If I have to preach revolution to gain recognition, then, by God, I will preach revolution! I want to ask the chief of police if he thinks human beings don't require protection more than the brick and stone walls of the mills and jails of the bosses. I want to know why he sends down machine load after machine load of police to arrest our leaders and pickets who are disturbing the walls of these brick and stone mills of the bosses.

This sort of talk is typical of Biedenkapp. In nearly all his speeches—and he makes many of them—he seldom leaves out, "By God, I will preach revolution!" Then along came Weisbord, who, after urging the workers to defy the law and parade without a permit, to concertedly resist the

police power, actually charges the police with inciting to riot in the following excerpt from his speech:

> The police have arrested our leaders and charged them with inciting riot. If there was any one who should be charged with inciting riot, by God, the police should be arrested. I want to say that we are going to have a parade, and one that the mayor, the chief, the council, or board of aldermen won't stop. They say we shall not pass. We must pass. We are going to parade in spite of them all. I have counts against me in the courts of New Jersey that have all been dropped because it was found that the judge of the court was a member of the board of commerce and a stockholder in the mills in that county. They have taken down our flag but we will raise it again, and the day is coming when we will have it in our factories and let them try to pull it down then—

Note that he predicts a day when "our flag" will fly from "our factories"!

With all his egotism and his capacity to deceive the workers, Weisbord was a rather shrewd advertiser, apparently keeping in mind at all times opportunites to get material that would make advertising matter best suited for the purpose of collecting money. He liked to parade his knowledge of the law and used it as an argument to convince others that what he advocated was not breaking the law at all. Note, too, in the following paragraph that the "police will not dare to club women and children." The police are bound by law to break up an illegal parade, and this is an occasion when prisoners are taken and movies made later to be captioned "Brutal Police Attacking Women and Innocent Children." These are the sort of illustrations which are mailed to a "sucker list" and to workers generally as a reason for contributing funds to "help win the struggle against such brutality."

We have defeated the chief of police in Fall River and, having broken the ice there, I do not see why we cannot defeat the chief of police in New Bedford. We know that you have to ask for a permit to parade, but what is his grounds for refusal? Is it because he does not like the color of your hair? This is nonsense, fellow-workers. It is not constitutional at all. The only way to test them out is to parade tomorrow at 2 P.M. sharp. We want all your children and women to parade. They will not dare to club women and children. It will be a disgrace to them to do that, so all of you be in the parade at 2 P.M. sharp. I have read this law and I know what I am talking about.

There is a type of speech, too, used by certain Communist leaders that is intended to incite their followers to fight the police, by arraying the strikers in mass formation disguised as a picket line, which really is a form of rioting and one the police are bound to disperse. Therefore, under such circumstances, the speaker tells the strikers that "you have a perfect right to protect yourself."

Fellow workers, don't let the police club you. The law says that they shall put a hand on you and say "You are under arrest," but if they club you, you have a perfect right to protect yourself, and the way you do it is up to you. Every time one of our strikers is arrested, the chief of police puts a charge of rioting against us. Then we go to court. Well, the judge looks at us and says "six months." We haven't got a chance, but don't forget this, fellow-workers, every time the judge sentences us to six months he is breaking the laws. Why shouldn't he give us six months? He is not an impartial judge. His brother is the owner of a bleachery, and why shouldn't he help his brother out? If the strike is broken the people will go to work and the judge's brother will go to work finishing the goods. Therefore the owner will make money and so will the judge, who is a large share holder, get money from the sweat of our brows. Can't you see that, fellow-workers? Go out on the picket lines in large numbers tonight and don't break the lines if the police come, but

march orderly and let them make wholesale arrests if they want to. Do not fear arrest. It is an honor to be arrested on the picket lines, because you are fighting for what belongs to you. So, fellow-workers, don't forget we want a large picket line tonight to show the bosses and their agents that we are strong.

Only two of these adult speakers were native born, and few of the others were naturalized citizens. One of them, a woman, received her final papers in May, and when she had knowledge that they had gone through a federal court of New Jersey where she had made application, she became one of the most active leaders of mass picketing. She not only advocated the arrests of her following, but was arrested ten times herself. It was charged, however, that in applying for citizenship in New Jersey, she committed perjury, and a true bill was returned by a federal grand jury in that district. She was apprehended by a deputy United States Marshal in Gastonia, North Carolina, in April, 1929, and held in the sum of $2,000 for her appearance before the federal court of New Jersey. The case did not go to trial at Trenton. A temperamental Justice let her go and she resumed her occupation of leading children from God and inspiring workers to acts of violence against the Government whose laws she had sworn to obey.

When speaking and under the spell of excitement, induced, perhaps, by an inward feeling of depression in a losing fight, she literally froths at the mouth. This is a sample of her oratory in paying her respects to the opposition:

They evidently don't like red. They are afraid of the red flag. There is only one country with a red flag and it's the best country in the world. That country is owned and run by the workers themselves, and the people here are afraid that some day they will see red flags flying on every mill in the city. That's why they are afraid of red.

Looking into the faces of her listeners, I have wondered if any of them gave birth to the thought, "Why doesn't this advocate of Russia's form of government go there, stay there, and live happy ever after?" This sort of raving apparently passes over their heads. They listen, of course, are interested—entertained—but after all it is a diversion from the main subject. They want work—and more money. The "bosses" may be "afraid of the red flag," but work and money is first in the minds of the workers.

They say that we will not stop until we control the mills! That is right! We will not stop until then! Law? What is it? To hell with it! They say that I am a radical. Well, what in hell else can I be? The sooner we get what the workers have in Russia, the better off we'll be.

This is another sample of Biedenkapp's oratory. He is an avowed enemy of the government, with a police record, and he advocates the substitution of a class form of government for our own by means of force like that used to effect the changes in Russia; a leader of foreign-speaking workers who pay him to talk to them and teach them to hate the country they have selected to live in; one who leads workers into organizations which give him access to their wages by means of all sorts of assessments; who uses them as long as there is any profit in it for him, then deserts them for pillage in a new field. Yet, when he was indicted for conspiracy, a Governor came to his rescue. Try to deport him or his like and some "pink" organization like the Civil Liberties Union will fight to keep him here.

In denying the application of Governor Allen of Massachusetts for the rendition of Biedenkapp, Governor Roosevelt of New York, on February 18, 1929, said:

"The defendant (Biedenkapp) has devoted himself to the amelioration of working and social conditions, and he

seems to have acted in good faith, however mistakenly."

The thought in this official protection may have been the encouragement needed for Biedenkapp to accept the Communist nomination for president of the Borough of Brooklyn in 1929. The governor may have suspected that "social conditions" needed a "touch" of amelioration such as Biedenkapp can make.

The following is from a speech to striking workers made by a man who, up to the time he uttered these words, had not written his poor old mother since he left her, three years before:

> This is the anniversary of Soviet Russia's freedom from the dirty capitalists. Where the workers overthrew the government and their agents, and placed workers in power to run the government, industry and everything has gone along smoothly ever since. The day is coming when the workers of this damn boss-ridden country must unite and fight their battles against the capitalists.

Communist speakers are enthusiastic about anniversaries and this one proposed a celebration to the memory of the "two greatest workers of America":

> August 27th is the anniversary of the two greatest workers of America, Sacco and Vanzetti. On that day I want the workers of New Bedford to turn out in large numbers and show the bosses and the people the largest demonstration that they have ever seen. You know Sacco and Vanzetti were shoe workers and were enemies of the bosses, and when that man was killed up in Braintree, the bosses saw their chance to get rid of them so they blamed Sacco and Vanzetti and you know the rest, so don't forget to turn out in large numbers on August 27th. On August 19 at our picnic we are going to have real moving pictures, taken during the strike in Passaic showing the clubbing and killings by the police and soldiers, also the bombing of some of the mills.

Consigning to hell the "bosses," municipal and police authorities, as well as legitimate trade unions, incited in the minds of striking workers a reckless contempt and bitter hatred for their "bosses." This was a sample:

"Now don't forget to go out on the picket line and to hell with Sullivan, Ashley, McLeod, and the whole police department and the two traitors, Batty and Binns." (Sullivan was president of the Manufacturers Association, Ashley was mayor, McLeod, chief of police; Batty and Binns were the representatives of the regular unions affiliated with the Textile Council and the American Federation of Labor.)

The following excerpt from a speech is intended to inspire hatred by misrepresenting the purpose of the exercise of police power in its efforts to subdue the spirit of riot inspired by misleaders of workers:

> The chief of police and mayor are ordering us to be arrested on order from the bosses. Mayor Ashley has received big donations from the manufacturers to be used at the next election. That is why he is willing to go outside the city to get police help and spend the city's money to protect the bosses.

All Communist leaders advocate mass picketing during a strike. Another speaker used this language:

> We want a large picket line tonight. It is our Constitutional privilege to picket any way we want to. I would rather go to jail for picketing for five years because I know I have a principle and that is more than the bosses or their agents have, and don't forget, fellow-workers, the word "principle" means a great deal. Get the number of the policeman, if you can, who abused the strikers, because the Civil Liberties Union is behind us and is going to sue these police officers.

Interpreted, the "principle," as defined here by this speaker, is to picket "any way you want to." It contains also the subtle assurance that the Civil Liberties Union

will support the strikers and cause the police much confusion. Even the poor old Constitution had to stand for the uncontradicted statement that it here conferred a privilege to do as one pleased.

"Gather on the picket line and sing all you want to!" shouted another speaker. "Never mind the police. They haven't the right to stop you; but if they do arrest you, your names will go down in history and years from now your children will look back and say that their fathers and mothers fought for their rights in order that their children could live in decency."

Give heed to these two adroitly placed suggestions, most likely to influence the unthinking or those who are actively concerned in strife. First, subduing a fear of police authority; second, that to be arrested while picketing is an honor for future generations to enjoy and venerate.

Another speaker explained that "large picket lines demonstrate to the bosses that we are strong, and also shows the scabs that we are a whole lot, and they will be scared."

As there were no "scabs"—that is, any one working in the mills—this speaker may have referred to the members of the trade unions. Anyhow, accuracy, as a matter of principle, seems not to be highly cultivated by any speakers of Communistic faith or writers in its numerous publications.

A boy of fourteen years old, of foreign-speaking parentage, apparently highly flattered by being selected to speak by the Communist leaders, stood before the crowd and gravely announced that, "The first anniversary of the death of Sacco and Vanzetti is here. We must not forget it, as they were workers that were put to death."

Another Communist, a British subject, with a prison record, also felt an urge to celebrate anniversaries. He stated: "A year ago was the last celebration of Sacco and

Vanzetti. Your Governor Fuller was the official murderer of them but they are still living and are with us right here in New Bedford today." (On the day of "Big Bill" Heywood's reported death in Russia, the same speaker asked those present to stand at attention as a tribute to his memory.)

A Communist in Boston was convicted by a jury for criminal libel and sent to jail for one year for making a similar false statement about Governor Fuller.

The verbatim excerpts which I have quoted from these speeches delivered by Communistic orators are typical, not exceptional. In form and substance they are spoken in Passaic, New York, Gastonia, Detroit, Philadelphia, and San Francisco—anywhere; but a justice of the Superior Court in the state where they were uttered held that they did not violate "any important rule in civil conduct."

CHAPTER VI

Where the Shoe Pinches

If St. Crispin and his brother shoemaker saint, Crispinian, took a little flyer to some of the big shoe manufacturing districts in Massachusetts and viewed the activities of their descendants in the industry, particularly in Lynn, they would probably reach the saintlike conclusion that the tortures inflicted on them, followed by a beheading ceremony, were mere incidents in the year 287 or thereabouts, and they would return whence they came, prayerfully thankful that they had escaped with such light punishment. For some of their descendants, some of the shoemakers of today, tortured and nearly beheaded an industry which was the sole means of support for many thousands.

A few years ago there were more women's shoes made in Lynn than in any other city in the world. After a few years' experience with irresponsible unions, there was offered for rental over two million square feet of factory floor space from which had departed scores of manufacturers, machinery and equipment, stock in trade, bag and baggage. And, what is more tragic, more appalling to the home, there went with them the opportunity of employment for thousands of resident men and women to the extent of a weekly payroll of more than $200,000, or more than ten millions of dollars annually.

This does not mean that the shoe industry, one of the proud creations of Massachusetts, left or is leaving New England. In the afflicted districts the manufacturers, like a flock of partridges disturbed by an enemy, whirred away

in all directions to alight in more reposeful places—some in Maine, some in New Hampshire, but mostly in Massachusetts.

The public warned the unions in Lynn, but the workers gave little heed until they saw shop after shop fail, liquidate, or move away, the flow of pay envelopes dry up, five or more competent workers for each job, and "stoppage pay" draining the treasuries of their locals.

A woman employed in one of the factories collected the weekly union dues from the other women in her department, took the collection to the office of the business agent of their local, slammed it down on his desk, remarking, by way of an ultimatum: "This is the last damn cent I'll collect until you bums get us girls more money!"—meaning an increase in wage. Naturally, any business agent does not like to be called a "bum" by any one—especially a woman. But, as he saw it, the only way he could refute the charge was by "getting the money."[1] It is the only proof they will accept. So he stands the manufacturer against the wall. That is his job. That is how he got the job. That is how he kept it. The one who does not "get the money gets canned." As time or service is measured, there are few labor leaders in Lynn today who were in authority yesterday. Those who had risen to power by a promise of Utopia were ousted by others who promised more. And this sort of thing has been one of the reasons why the labor cost of shoes in Lynn has exceeded that prevailing in competing districts. Those who mean well are naturally temperate, fair, and intelligent. But these are traits most likely to arouse the suspicions of the workers, and there are enough place seekers among them to fan suspicion to a flame that consumes but does not purify.

[1] Shop jargon. Similar expressions are usual and have a clear meaning in the language spoken in circles not confined to industrial activities.

It remained for the modern shoe workers to devise and adopt a permit system that has been one of the most mischievous irritants in the conduct of the shoe industry. It is a simple little device that is intended to keep a "closed shop," closed to all except members of the union in good standing. But it has been used by business agents as an instrument to compel the indifferent to yield support for political aspirations, to torment employers, and to subdue unruly members. In an industry where about one hundred seventy machine operators and thirty to forty hand operators handle one pair of shoes, there is a broad field for the pernicious use of a weapon like a permit.

This was one of the main causes of the trouble in Lynn. Another was that employers have conceded that which invited trouble. "As they concede, so shall they recede," might have been pointed out to them years ago, but if it were they did not effectively heed it. There are plenty of reasons why they did not heed it—good ones, too, when you look at it impartially.

A typical case is that of a manufacturer who was time-limited in filling his orders. That is, if the shoes were not delivered in a certain time the buyer reserved the right to cancel. This manufacturer had thousands of shoes in process on the floor, thousands of pairs cut. The season was at its top. He owed the bank, and leather concerns held his notes for stock. He could pay only when his product was finished, delivered, and collections completed. These facts filtered through the shop, as such things do. It seemed to certain employees to be a ripe time to "better their conditions." A business agent of one of the locals appeared and requested the manufacturer to pay an extra price for a certain pattern. The manufacturer protested, but vainly. The pattern differed slightly from that described in the price list and made for less effort, but it differed, thus pro-

viding a basis for exacting an extra. The amount involved was only a matter of $261 for the entire run. To "save trouble" the manufacturer granted the request. This, too, filtered through the shop via "grapevine." The victorious crew "kept it to themselves" the same way workers always do when an employer yields on condition that they will regard it as a secret.

Then followed the visit of the business agent of another local, who declared his crew found it too hard to make a day's pay owing to the way the work came to them. An inspection of the method disclosed a defect which was corrected, but this failed to satisfy the crew. "The stock is hard to work," they complained. A change in its temper was attempted, but complaints continued unabated, and the crew's production fell down. This held up the crews behind, and held down the crews ahead. One or two workers found it convenient to be "out sick." The harassed manufacturer turned to the business agent for more help. There was none to be had. Besides, the agent said, what help there was couldn't make a good day's pay. But he took the opportunity to suggest that an extra price might solve the difficulty.

"But I can't pay an extra on this job," the manufacturer declared. "The price is fixed by agreement and I'm bound by the association. Besides, your people are bound by the price, too. They are parties to the agreement."

"But this is a specially hard job, the stock is hard to work, and your foreman is exacting too good a job," the agent declared. "The crew has to put in more time on it and it comes out of them. Just for this run you ought to pay an extra and everybody will be satisfied."

The exasperated employer resorted to the manufacturers association for advice and counsel. Its representatives investigated. Prolonged negotiations followed between it

and the business agent. Meanwhile the crew, reduced by those "out sick" and now convinced that the stock was really harder to work, had curtailed the production more than a thousand pairs daily.

"I'm going to give in," the manufacturer announced to the association.

"But you mustn't," he was told. "A general increase will be sought if you do."

The banks were urged to help stiffen his courage. The bankers decided that the price was "just for this run to cover this particular order and not likely to disturb the other manufacturers." The business agent readily agreed with this conclusion. The extra was granted. The crew speeded up and with the "out sickers" back on the job, they were able to get their part done and leave the shop by four o'clock.

But only for a day or so. Another crew balked. Their business agent, rated as a conservative, said the work and conditions in the shop were fairly comparable with that performed in other shops in the district making a similar grade of shoes, and did not call for an extra. The crew "razzed" him. They pointed to other business agents who "got away with it." In the crew was one who was a candidate for the agent's place. Mindful of his job, and its gratifying sense of power, the conservative agent reluctantly backed down and filed a request for an extra. The manufacturer referred it to the association and the latter's secretary proceeded to negotiate with the agent. No agreement resulting, the dispute was referred to an adjustment board, a tribunal created by the contract between the association and the council. The board comprised six men, three of whom were selected by each side. After hearing the parties, the board divided in its decision. Thereupon the deadlock went to the State Board of Conciliation and Arbitration for

review with the understanding that any change in price would date from the time the business agent filed the original request.

Meanwhile the employees concerned became restive. Their minds were further diverted from the work in hand by the advice offered by other groups. "The season will end and you'll be left holding the bag," they were told. This sort of thing kept the place in a turmoil, and the work suffered. Again the normal progress of shoes through the shop was interrupted. Whether agitation caused a natural slowing up of the work or whether it was a studied effort is, perhaps, immaterial. The fact is that it clogged the floor and production fell off more than a thousand pairs daily. And again the manufacturer was the victim. Efforts made to speed up the workers failed. "We just can't do any more—the stock is too poor for the kind of job you expect us to turn out," they replied.

Then another group of workers, through their agent, demanded an increase on the ground that the slowing down of production caused a loss of pay to them. It was pointed out that the group whose case was in controversy was responsible for the decrease.

"It's the stock," they replied; "but whatever it is, we are losing money and we will not stand for it."

The agent tried to console the manufacturer by saying it was "too bad," but that he (the agent) was helpless and he feared the employees would take "drastic action." They did. They refused to let their agent follow the processes defined in the contract, threatening to strike if he did. Thereupon the manufacturer, through the association, sought a court injunction to compel the group to keep the contract and not strike. An injunction was granted but no injunction on earth can compel workers to work if they do not want to, and these did not. They obeyed to the ex-

tent that they kept on the job, but kept out of work—or enough of it to decrease the daily production another thousand pairs daily.

The employer tried to get more help, but the "permit" system stopped him. That is, no new employee may take a job without a "permit" from the business agent. When appealed to, he said he would try to get "some help," but when followed up he said it was difficult to find any one who would work there "because of the conditions." The employer countered by hiring two skilled workers, but the agent would not issue a permit to them because he said their going would cripple the work in another shop. He gave the manufacturer permission to hire "outsiders." One such was engaged and began work the following morning. He was told by the union dues collector of the group, or steward, that he must go to the business agent's office at noon and get a "permit card." Under the rules in a "closed shop," a new employee not a member of the union must signify his intention to become such and unless otherwise decided he is admitted to membership.

At noon he was denied a permit "pending an investigation." This shut him out from the job for an indefinite time. When the manufacturer protested he was told the applicant's statements concerning himself had to be "checked up," but it would take a day or so. When the matter was pursued further there were equally good reasons for delay.

Just for good measure another craft in the shop decided to take a hand by invoking the "fifteen-minute" rule. This "little teaser" had its origin in the shortsighted management that failed to coordinate the work of the departments so that cases of shoes would go through without one department waiting for another. About all the processes in the making of shoes are paid for by the piece. If a depart-

ment is not well balanced, it is unable to deliver the lot to the next on time. Thus every minute lost in occupation is pay lost to the employees. Delays are inevitable at times, but these are understood and condoned in an orderly managed shop. But a poorly managed shop in which the management took a stand that employees must wait an unreasonably long time for work to come to them, inspired the union to force a rule on the manufacturers that if any employee waited fifteen minutes for work, all the employees in his group would go out for the day. Instead of getting after the few manufacturers who were responsible for such complaints and correcting the defects in production management, the association saw this rule enforced on its membership, thereby relaxing another notch in discipline. This, too, was unfair to the employees because it further encouraged them falsely to estimate the value of discipline in industry.

So, the controversies in two departments having disturbed the normal basis of productive capacity spread to others. One morning about 9:30 o'clock, one member of an important group in the finishing department was without work for fifteen minutes. He put on his coat, waved a hand to the others, and they quit on the spot. Vainly the foreman tried to induce them to remain. He said more work would be along very soon. They could see for themselves there were cases nearly ready to come from the adjoining group. No use. "A rule is a rule," the men said, and out they went. This tied up the day's product, and landed the manufacturer that much nearer the terminal of failure.

Those ahead of the men who went out had to quit, too, because they could not perform their operations on the shoes until the preceding operation had made them ready. Those working on the shoes in the earlier stages had to be stopped

before the alleys were clogged with cases "out of temper." Then, the day after, another hitch in production occurred—another group invoked the letter of the "fifteen-minute" rule. And the insidious process continued.

Now the manufacturer was faced by a choice of two evils: continue as he was going and take a chance on cancellations, or pay extras right and left and take chances on losing his profit. He decided to pay—and lost. The delays had made it physically impossible to deliver more than two-thirds of his orders, the remaining third being canceled. He also incurred the ill will of other manufacturers, who blamed him for encouraging a practice that would embarrass them—who had or might have done the same thing—besides losing the confidence of the bank whose officers had advised him to give in at the outset. Just what would have happened if he had chosen the other way is pure speculation, but I can relate the experience of another manufacturer who fought through to a finish. The continued delays and interruptions in his case resulted in sixty per cent of cancellations, a bulk of the shoes on the floor being later sold at a forced price to those who canceled. In addition, failure to deliver helped to convince the buyers that there was something in the statements of rival shoe salesmen that "Lynn can't deliver shoes on account of strikes."

There was one shop in Lynn that kept out of the usual rows, mainly for the reason that its management tactfully ruled the plant and its relations with the union. It did not hold membership in any association of employers, but adopted any general changes in wages when made by agreement or by award. It did not, however, recognize any fifteen-minute rule or similar so-called inflictions, and seldom required the use of the permit system because the employees seldom changed. The reason was that while the wage list

was the same, the reputation of the shop for continuous operation made it a favorite with those seeking employment. The help were all union but they were "hand picked" and had been for a decade or more. Needing a man or woman in some department, the foreman would notify one known to him and who had spoken for the first chance. Some time ago such a man left a job in another shop and went to the union for a permit to work at Blank's. The business agent demurred.

"There are two or three others out of a job now," the agent said, "and if there's a job at Blank's one of them is entitled to it before you are."

"The hell they are," was the reply; "you can put that stuff over on the Polacks but not with me. Gimme." It worked. Another time an employee was discharged for poor work. He reported the matter to the business agent, who told the employer that the help would strike if the employee were not reinstated without loss of pay. The employer stood his ground and the agent called out others in that department. When the remaining employees finished their parts of the work, they were told to stay out until the department in which the dispute existed was ready to start again. They were told, however, the reason why the employee was discharged and were shown the poor work which he had done.

After a week's loaf the help got restive and wanted to find out when they could go to work. They were told that the shop would start any time the help in the affected department were ready to return.

"Does that mean that you'll take back the one you fired?"

"No, he isn't help. He was discharged and no longer in our employ."

On Thursday of the second week the employees met

and accepted the verdict of the employer, but fined him two days' production for violating the union rule that prohibits or limits the right to discharge. That is, they voted to stay out until the following Monday, which really rounded out a two weeks' vacation without pay. The significance of their action, however, may be noted in the fact that they knew the employer to be a man of his word, that he was right in his estimate of the discharged employee's capacity, and that he would maintain such "right to be right till hell froze over." Therefore, they gave in with a gesture of saving their face, which, to that extent, proved that even in Lynn a manufacturer might conduct his own business with reasonable certainty, avoid the loss of repeated strikes, deliver his product on time, keep the esteem of his employees, and hold the respect of the unions.

Resorting to court injunctions has been one of the legal sports. Covering a span of years they have become common—not worth enumerating. Many who were enjoined remained to be cited for contempt. This added spice to a diet limited by injunction. Those cited for contempt have neither languished in jail nor been mulcted of great treasure. The variety in issues is interesting, not to say humorous. An arbiter informed the parties in a case that he would limit the presentation of evidence to three days. An injunction was sought to compel him to extend the time. When a veteran Lynn manufacturer moved his shop to the western part of the state, more than a hundred miles, an injunction was prayed for to compel him to hire only members of a union in a city where there were none.

There are stories, too, of chicanery in which manufacturer and business agent are tainted with equal guilt.

"How do you expect to maintain peace by buying off a business agent?" was asked of a manufacturer who claimed that he had.

"Oh, that was part of the game," he replied in an off-hand way.

A labor executive told me he was sent to Lynn to adjust a grievance in one of the shops. After going over the matter with the employees he called on the employer. After eliminating several impossible demands made by each side, he asked the employer to call the crew to the office. The situation was explained, certain modifications agreed to, and the parties accepted the new conditions. After the crew had left and the labor executive was about to depart, the employer exclaimed: "Here come Doe and Roe (representatives of a rival labor organization) and I don't want them to see you here. Step in there." And he thrust the amazed visitor through a "blind door" in the wall. Presently Doe and Roe came in and engaged the employer in a discussion which was heard by the hidden man. The discussion, he said, was ended when the manufacturer gave Doe and Roe each a twenty-dollar bill.

"I'm disgusted with you," the labor executive remarked when he came out and grabbed his hat. "Good day."

"Don't get mad," the manufacturer said. "You saved me money. If they'd seen you here they'd have raised their price."

Again, during a long upheaval in the city when the industry was shut down for five months, this man was one of three international officers who were invited to a conference by certain manufacturers. After consuming a lot of time in trying to convince the officers that the city was ready to have their organization absorb the "outlaw" unions, it was announced that a third party could accomplish the scheme for $18,000. The manufacturers volunteered to pay half this sum and invited the international to put up the balance.

"You're worse than you were years ago," the former

organizer declared, speaking directly at one of the manufacturers. "Outside for me." And he left, followed by his associates.

One important concern, after many years of combatting the conditions imposed by unions and manufacturers associations, resigned from the latter and began to operate an "open shop" or free shop, as it is called in Lynn. A majority of the employees had worked there for many years and remained at work when a strike was called in December, 1923. They believed the employer when he made the assertion that they could all make more money by breaking away from the rules of the unions and the manufacturers associations, and "go it alone." They signed individual contracts in which, among other things, they pledged themselves not to strike or to join others in a strike. The union caused the shop to be picketed and sought to obtain an injunction to compel the company to keep its agreement with the union, on the ground that when the agreement was made the defendant was a member of the association that entered into it. The case was spiritedly contested. The result, after several months of hearings and appearances, declarations and demurrers, citations and arguments, was a rather sweeping verdict for the company.

This decision cleared the street of picketing and no further demonstration was attempted. The shop continued to operate peacefully, with a full complement of help. Two smaller concerns that adopted the "open shop" plan were unmolested, the main drive of the union having been concentrated on the larger one. The city presented a promising field for the spread of this plan, for the reason that many shoe workers prefer continuous employment. A small unit, in any shop, by stopping work, can throw all the others out of a job. It is impossible to compute the loss of wages to thousands of workers, as a result of these

forced stoppages. There are some records but they are incomplete. However, the employees in nearly every shop in Lynn have at some time or other lost money because the workers in some department went on a strike. A half-dozen lasters operating "nigger-head" machines quit, and for several days resisted appeals from their fraternal associates in other locals, defied orders of their representatives to submit their grievance to arbitration in accordance with the existing agreement, and returned only when the pinched employer violated the agreement by conceding the thing they sought. Ten days' wages, or over $28,000, was lost by the several hundred employees who had to loaf. Such cases, having been frequent and always threatening, caused many employees to pray for a job where they would have fifty weeks of uninterrupted employment in a year. That is the reason why the "open shop" experiment—for it is an experiment in a city that had been tightly closed for more than a quarter of a century—has appeared to succeed. Many employees in those shops are "tired of strikes and lockouts."

Lynn has been fertile soil for the cultivation of a variety of labor unions. They were once the dreamy Knights of St. Crispin, patron saint of shoemakers, the first shoe labor organization of a national character ever founded; then flourished for a time the Lasters Protective Union of America, and later the proud army of Powderly's Knights of Labor, both of which went out of existence in 1895. Endeavoring to prevent others than the sons of shoe workers from learning the trade, opposing the introduction of machinery by means of strikes, absence of discipline and internecine strife, were the principal reasons for their interment. As far back as 1891, the general secretary of the Lasters Protective Union, in his semi-annual report to its convention held in April, reminded the delegates that "our

laws especially forbid any branch taking any action liable to produce a strike or lockout," and he showed that there had been "upwards of 300 violations of this important law" in the preceding year. Farther along, he reported that there were existing strikes in thirty-two shops.

With the exception of the Cutters Union, most of the shoe workers in the defunct Protective and the Knights of Labor joined the newly organized Boot and Shoe Workers. It was a Lynn man who led a rebellion against this international body and succeeded a few years later in organizing the United Shoe Workers of America.

In 1923 the workers destroyed this organization and formed another, known as the Amalgamated Shoe Workers. This was accomplished by a vote of each local. There was a spirited fight between those favoring the old organization and those promoting the new, but after two or three of the larger unions voted in favor of the new, the others followed. The stranded officers of the United were consoled, however, by a court order restraining the invaders from taking the small sums remaining in the treasuries. The United had been organized when its followers seceded from the Boot and Shoe Workers, because they objected to being "slaves of arbitration." Its radical tendencies attracted workers outside of Lynn, and an impressive appearing organization was built up, with headquarters in Boston.

But it lacked stability, naturally. It was organized by those who rebelled against an orderly labor government. Therefore, those in power soon found themselves in an embarrassing position. The workers had little respect for the integrity of a trade agreement. If one was made, they broke it. They kept only those covenants secretly and hastily arrived at by themselves, and discarded those whenever something new or strange occurred to their restive minds. When a secretary-treasurer—the highest official in

the organization—sobered by responsibility of government, showed signs of ability, he was suspected of treason and thrown to the "head hunters."

Objection to continuous terms in office by election or otherwise was a fundamental, and another was objection to the determination of disputes by arbitration. As time went on, these objections became embarrassing. It was apparent to the best minds in the organization that its continued growth and stability depended largely on the continuation in office of experienced executives, and the submission of disputes to arbitration—two elements that had been the issues in the rebellion against the parent organization. The United, when forced to do so by public opinion, adopted various forms of arbitration, but its members were never unfaithful to their first love—strike. It was an established policy. Arbitration was merely an expedient, a sort of an industrial drug to stupefy the public until things quieted down again. There are cases in which the United called strikes in shops in which they were jointly bound with the manufacturers not to strike or lock out the employees. The aggrieved manufacturers got some satisfaction out of it—the right to make further protests.

This sort of thing continued to promote a spirit of disloyalty among those who followed such leadership. The workers had before them evidence of repeated violations. They had seen their leaders rebel against the government of one union, joined with them in forming another that inconsistently adopted the principles against which they had rebelled, and then witnessed and participated in rebellions against the agreements with manufacturers embodying these principles.

This, then, was the heritage bequeathed to the Amalgamated in 1923. After several months of uncertainty, assailed by attacks from without, suspecting treachery from

within, defendant in a general injunction and plastered with contempt charges in alleged violations thereof, its officers in December, 1923, went to the State Board of Conciliation and Arbitration and gave it full authority to act. The board called in certain of the manufacturers who jointly agreed with the Amalgamated to submit all matters in dispute to arbitration.

There were good and sufficient reasons for the Amalgamated to adopt this course. The industry had broken beneath the burdens imposed by the workers. In a short time over fifty concerns had either failed, moved, or liquidated. More than $200,000 weekly in wages was lost to Lynn. Additional losses were imminent. If a vision of a workers' Utopia had lulled their sense of proportion, it was at least temporarily dispelled. From the end of a rainbow dangled a "gilded price-list" (scale of wages) beyond the reach of shops no longer available to pay it. The workers had their unions, their power, their rules, their pride of dominance, but no place to work. This involuntary pause gave time to reflect, to heed the significance of the industry in process of bankruptcy or a hop-off to happier surroundings. And so they again acquiesced in a surrender to arbitration. An immediate general reduction of 15 per cent was ordered pending a subsequent revision of the wage items, and the remaining factories started in to make shoes for spring delivery. The manufacturers, or many of them, were encouraged by the fact that the locals had all embraced the Amalgamated, even the edge makers and Goodyear operators who had for many years been independent of any organization. The Amalgamated presented a united front, with a membership chastened by industrial disaster, and there was some reason for the assurance that arbitration, a revised wage list, and a new agreement defining the con-

ditions of employment, executed by the State Board, would insure steadiness in production.

But it did not last out the time consumed by the board in completing its work. Sporadic disputes broke out here and there. In one of the largest shops certain of the employees refused to work more than three hours instead of four hours and forty minutes on Saturday forenoon. They worked the regular time set by the factory manager for a few weeks, turning out 1900 pairs of shoes, but when the workers changed to three hours they turned out only 800 pairs, a production loss of 1100 pairs to the manufacturer. This was accounted for by fixing the work time from 7 A.M. to 10 A.M. The regular starting time was 7:20 A.M. Transportation facilities made it convenient for the workers to reach the shop at that time and be "under way" by 7:30. Most of them did not get in any earlier after the hour was set at 7 A.M., and when they quit at ten minutes to ten to "wash up," they had put in only two hours and twenty minutes actual time in productive industry. The first part of the morning is the slowest; the average worker does not reach his full capacity the first hour. There was no reason given by the employees why they refused to work the time fixed by the shop other than a remark made by one that "they didn't feel like it." The action is not inconsistent with a state of mind that is determined to have its own way.

When the State Board began to issue the revised awards, serious trouble followed. The lasters, always a militant organization, announced that they would not be bound by the award after sixty days "or by any future decision." The lasters also withdrew from the Amalgamated. Similar notices and withdrawals were threatened by three or four other locals. While each disclaimed any intention of striking, they were emphatic in declaring that they wanted to be "independent." The Amalgamated called them "rebels"

and the "rebels" called the Amalgamated anything that the papers would publish. A threat of the Amalgamated to form a new lasters union and "freeze out" the members of the old one in all the shops, was met by a statement from the "rebels" and published in the local press, that they would form a bloc with four locals and appeal to dissatisfied members of all locals "if the manufacturers enter any conspiracy with the same little bunch that has tricked them twice before and might try again."

Another decision that helped to upset the Amalgamated was that relating to packers. They had presented a case back in September and it was before the State Board when the Amalgamated submitted the entire controversy in December. The board, in its award of an immediate fifteen-per-cent general wage reduction, did not include the packers because the case was considered prior to the reduction and would be decided separately when a conclusion was reached. When the decision was made three months later, it was found that an increase was granted, amounting to about 95 cents a week, effective from September, but subject to the 15 per cent reduction from December, which made a net cut in the packers' wages of about $2 a week. An analysis of the decision showed that the packers each owed the employers about $8 to $12, but only two or three of the latter made efforts to collect it. The packers were not among the number who said it was a good joke, but some authorities claim that women do not have a keen sense of humor.

All these elements conspired to demoralize the Amalgamated. Signs of its cracking under the heavy load were manifest in 1924, but its disintegration took definite shape when the lasters led the way back to the Boot and Shoe Workers. Four other locals followed, but two of these faltered on the threshold and decided to remain a little longer

with the Amalgamated. They were not then ready to affiliate with the older organization.

Conservatives in the labor movement frankly expressed grave doubts of the continued fidelity of these independents if they did join the "Boot and Shoe." Yet, that was a question for the future to determine. The record up to that date was established. There were many shoe workers who had "tasted blood" and, therefore, desired to prowl only in the great open spaces where union discipline had the resiliency of rubber and they could take a fall out of an employer when they felt like it. It is a harsh thing to write, but it is a fact, nevertheless, that the only discipline recognized by a large element of the followers of the form of unionism that obtained in Lynn was a jobless day followed by nothing to eat and no place to sleep. They had run wild too long. They had lost their sense of obligation, the proper perspective of employment relations. They had become accustomed to use power as a club, not as an instrument of reason and fairness. They reared forms of union government, only to destroy them because they refused to be governed. The city is a graveyard in which various kinds of labor unions have been indecently interred, where the bearers of the latest departed proceeded to dig graves for the next.

Union dues are paid into an organization on the theory that it is a form of insurance, but it is admitted that thousands of dollars poured into the treasuries of the Lynn locals did not insure the worker against the most important loss of all—a steady job. In a few months, more than sixty establishments either failed, liquidated, or moved away, leaving ten thousand shoe workers like Noah's dove "flitting between rough seas and stormy skies." More than one and a half million square feet of factory space where machinery whirred, busy feet trod, and cases rolled through, were vacated. This is not the sort of heritage a man or woman ex-

pects to receive from industry after paying initiation fees and dues and assessments to the unions. This is not "better conditions." It is tragedy.

But the workers could blame only themselves. Their unions are as good as they are—no better, no worse.

Despite the tactful discipline shown by representatives of a veteran labor organization, it was not sufficient to control the restive-minded workers of Lynn. In 1928, less than four years after they had gone back to the "Boot and Shoe," the lasters were among the first of the other locals to leave it. They choose to run wild. At the very outset of the formal resumption of the "stamp agreement" between the manufacturers and the Boot and Shoe Workers Union, it is said that certain of the former assumed that the alliance gave them a license to impose conditions that indicated a desire to "get back" at the workers. It is said, too, that one of them broke a "gentleman's agreement" and insisted upon presenting an issue in an arbitration before the State Board which was destructive to discipline and confidence when the award was made.

I have not felt it necessary to make an exhaustive examination to verify these claims nor to analyze the reasons given for these troubles. The parties had, in their own way, merely presented further evidence that they were incompetent to keep an agreement, no matter what its form might be.

Nor does it appear necessary to add any further details relative to the movement creating another union in 1929 that revived the name of the defunct United Shoe Workers. It will last until the next revolution dumps the remains on the messy heap of predecessors.

CHAPTER VII

Fixing the Responsibility

In all the discussions, charges, injunctions, referendums, investigations, and plans for the restoration or rehabilitation of Lynn's industry, those participating appear to have omitted from their conclusions that the cause of the trouble is basically a question of self-discipline. Simple enough—so simple, indeed, and so near at hand that many might not believe it if they heard it and wouldn't recognize it when it passed before their eyes because they have ignored it for many years. The underlying reason for recurring industrial disorder is that manufacturers and workers each persist in disciplining the other instead of disciplining themselves. Each imputes to the other motives that each possesses. Each blames the other for the industrial collapse and both are right.

Another simple, normal principle of discipline, the oldest known in industry, the unchallenged right of an employer to appraise the fitness and capacity of an employee who is performing the work, and the right to determine the method by which it shall be produced, has been disregarded, if not wholly abrogated.

The workers have been encouraged by their own tests to go beyond the jointly legitimate conditions of employment until they have intruded upon the fundamentals of management, and as these encroachments multiplied the industry weakened, tottered, collapsed. The destruction of essential discipline was not accomplished by a handful of

"Reds and Communists." It is the natural result of action by a majority encouraged to further endeavors by excessive concessions. During the World War an orgy of strikes invaded Massachusetts following an almost strikeless period of several years. The reason was found in an abandonment of established authority, substituting therefor a plan that virtually incited large groups of employees to disregard binding agreements and force compliance of their demands by means of a strike. An observer would not call the six thousand car men of the Boston Elevated "Reds," yet their behavior in tying up the entire transportation facilities of that system for days at a time is not widely different from the actions of the Lynn shoe workers who did not have the subjugating influence of being affiliated with the American Federation of Labor. The action of both is merely an expression of the use of power exerted by those unmindful of its proper control.

When the organization of street car men swept the country and trade agreements defining wages, hours, seniority, and other pertinent conditions in their relations were signed, there crept in a clause that gave to a "grievance committee" the right to review the acts of the employer in certain matters of discipline. I recall a case where five conductors were discharged for inaccuracies or, as they described it, "knocking down." The grievance committee took up the matter and ordered the reinstatement of the men. The company refused. A strike followed. Finally the car men agreed to permit the company to enter civil suits to recover from the discharged men the small amounts they were alleged to have taken. Of course, the employer was to blame when he gave up his rights to determine the fitness of employees by dividing his authority, thus permitting a prejudiced body to share in determining a question of discipline. One employer who was a party to such a

provision in an agreement said he conceded it to "save trouble" but he ruefully admitted that he "invited it."

A fair employer is the best judge of the fitness and capacity of an employee. His judgment in most cases is exercised without prejudice. He is able to see two things: the man himself and his ability to work, to produce, to get results. An employee is prejudiced—in his own favor; in believing that he is more competent than some one else; that his years of service have given him an experience surpassing others in value. He accepts himself as a journeyman able to perform whatever work he is assigned to do, and do it better than some other employee. He is not likely to analyze his capabilities and compare them to the workmanship of others. If he recognizes another as being a better workman he will not admit it; he is more likely to resent it, and continue to live in a state of self-delusion. On the other hand, the unprejudiced employer can measure the employee's capabilities with reasonable accuracy. An employee will combat such judgment by insisting that the "boss" is prejudiced, "has it in for him," and that sort of thing. This is rarely a fact. A "boss" actuated by such motives is lacking in the training and experience necessary to fit him to become a "boss," and any "boss" who shows these traits does not long remain one. Most employers are mindful of the value of employees. I can recall not more than three cases where employers knowingly added to labor costs, by exercising a personal prejudice against employees.

It should not be assumed that the workers are wholly blameworthy, for there are among employers many who should bear the burden of responsibility. Among them are those who have wilfully evaded terms of agreement, who have resorted to bribery, and sought to deceive not only the workers in their employ but their associates in the manufacturers associations, too. Certain employers seek to condone

these acts by asserting that they were necessary in order to conduct their business, but they have temporized with questions of principle when they should have maintained a rigid defense; they were vacillating instead of positive. When, on occasion, they did unite in taking a stand the strength of the formation was weakened by a knowledge of the faults of individuals known to many business agents and workers. In one endeavor to enforce compliance with their demands, the manufacturers maintained a costly lockout for several months. But the principles they sought to make impressive failed to become so through their own deviation from faithful adherence to ordinary business integrity.

The fifteen-minute rule was foisted on the manufacturers because production methods were inefficient in one or two shops where the employees were frequently delayed waiting for work. Such delays meant lost time, and a corresponding loss in wages, as they were on a piece-rate basis. Instead of insisting that their associates correct the defects or get out of the association the manufacturers temporized. And when the rule was made general in its application by the union most of the manufacturers shrugged their shoulders, with the remark, "Anyway, it doesn't affect our conditions." But it could be made to do so, and it was repeatedly, as many discovered later when the union was seeking further concessions. Passive acceptance of such a rule was unfair to employees, too, because it led them to make further false estimates of the scope of management and encouraged them to pursue further tactics which were obvious encroachments upon the right of the management to conduct the business.

No matter how far the arm of government may reach in the enactment of statutes and their execution, or to what extent organized labor safeguards the trade agreement, or organizations in certain industries prevent one, no progress

can be made in promoting and maintaining fair conditions of employment unless discipline is recognized as the one essential necessary to insure a sound relation between employer and employed.

One hot morning in midsummer, the general manager of a large plant found a veteran workman on the sidewalk in front of the office.

"Hello, John; loafing today?"

"No, sir. The men in our shop are out on strike."

"Too bad, too bad! But what are you doing around here?"

"Me? I'm on picket duty, sir."

"Is that so? Well, wait a minute."

The general manager went into the office, came back with a chair, lowered the awning, and remarked:

"There, John, you sit down here in the shade, smoke this cigar, and make yourself comfortable. It's a damn shame to give you a rotten job like this when the rest of the fellows go off enjoying themselves."

About ten o'clock the superintendent reported that the men were back at work and wanted the general manager to confer with their committee. They had tried to circumvent a rule made by the manager that he would not take up a grievance unless the aggrieved employees remained at work, pending a settlement. He adopted a nice way to tell the men to sit down, cool off, and come back when they were ready to obey the rule for the discussion of grievances.

By this simple, offhand, companionable act he maintained confidence in the established method of dealing with controversies. He refused to be led into anything approaching a stampede. And the men realized it. They were convinced that no progress could be made by staying out and that the best way was to hustle back before their case was further prejudiced. Such confidence, however, is the growth

of time spent in conferences, knowledge of the little things which give men an understanding of the employer and the policy of the company. This employer had taken the ground that he would meet a committee or representatives of employees any time in an effort to better working conditions. It was a rule established by the management. A strike for any cause was a strike against this rule, against the right of management to make such a rule. Under the circumstances to recognize men on strike would be an admission of failure on the part of the management to manage, and a wobbly management is certain to shake the confidence of men. They are loyal to a "boss" who is fair, who will not deny them or their representatives the right to meet him on the common ground of wages, working conditions, and hours of employment. They may not be satisfied with his "no" at times, but they do not lose their respect for him. The sort of employer who fails to keep the confidence of employees is one who wobbles, who does not qualify denial by an honest reason, and who does not in person and policy show a respect for them.

There must be one voice whose utterance is final, be it in government or private enterprise. Some one must be "boss." It is all very well for the academically enlightened to visualize an industrial millennium, but a worker without a "boss" lives in an atmosphere of confusion. No matter what form of relationship is accepted, "closed shop" or "open shop," without a "boss," a final authority whose "yes and no goes," there can be no successful continuance. When a departure is made from this fundamental of the employment relation the route is bound to lie in a land of trouble.

Lack of confidence each in the other has made a perpetual contest out of simple principles of discipline. The employees, untutored in matters of management, regard the winning of a question in dispute as the most important

thing in the world. Having the power to concertedly use it, they assume that such exercise of power must be right because they have it. There are many cases that have grown to embarrassing importance which started merely as a test of strength over some trivial question of discipline. The question of which side was right was determined by which side could win, and, like all questions settled in a like way, both sides have lost. One should not tamper with certain simple rules of employment relations, not in a district where a mutual confidence, so essential between employer and employees, has been lacking.

There is but one way to inspire and hold confidence—keep your word and exact it from the other fellow. Without such confidence neither party can go far in cooperation. Employment relations based upon confidence means that employees will take the word of the employer because he does not mislead them. The final word either has recognized in Lynn is "power"—to get the best of the "other side."

CHAPTER VIII

In This Peace Pact There Was War

In the "slipper city" of Haverhill, Massachusetts, perhaps the largest producing center of women's turned and McKay stitched shoes in the world, workers and employers by agreement dropped the State Board of Arbitration, and, after some fruitful experimentation, devised a method, during the winter of 1923, which resembled that used in the clothing industry.

For many years prior to the World War the city held a ranking place, both for peace and product in the industry. The stamp contract of the Boot and Shoe Workers Union was the means adopted in most of the factories to regulate labor, working conditions, and hours of labor. An association of manufacturers, represented by a secretary or manager, acted for any member of the association in dealing with matters in dispute with the union. The Shoe Workers Protective Union, better known as the "turn workmen," was a factor wherever turned shoes were made—in Haverhill, Lynn, and the North Shore. It was a tight little organization with a membership of lasters only, whose business agent was a two-fisted man of few words. He was in office so long that the "turn workmen" organization was described as a "one-man union." A reason for the description is found in the fact that the agent made manufacturers and workmen alike live up to any agreement entered into, either written or verbal. For this he was both respected and feared. He did not hesitate to call the lasters out in any factory where the employer failed to live up to an agreement, and he would

use his fists with telling effect on any crew that persisted in a similar rebellion. Thus peace reigned for many years.

Then came the dawn, as the scenario writers say in the movies—the dawn of a new era, as the workers declared. During the War the city filled up with concerns that began the manufacture of shoes in a small way. At one time there was employment given to nearly twenty thousand skilled shoe workers, and these in a city of "liberal thought." A political faith in socialism abounded. Socialists were elected as mayors and to positions in the city council. Representatives to the general court were of that faith. A spirit of liberalism was nurtured in these surroundings that ultimately leaped beyond the bounds of socialism, so far beyond that it made the innocent and God-fearing faith of Socialism appear conservative, if not actually reactionary. Emissaries from the radical unions in Lynn had gone among the workers for years in an endeavor to convert them to affiliation with their assorted varieties. They had secured a following but not enough to accomplish the purpose. But the movement was successful as a means of spreading the seed of rebellion against things as they were. A specious plea for "local autonomy" and for "self-determination by a union for a union" made a strong appeal, which promoted and fostered dissatisfaction with the state form of compulsory arbitration as contained in the "stamp contract."

In casting about for an outlet that would give free expression to a desire for "local autonomy," sagacious leaders hit on the plan of absorbing the turn workmen's union. Therefore, when the dawn arrived the staid old lasters found themselves as a local grouped with other locals affiliated with an organization antagonistic to the Boot and Shoe Workers Union. Some were flattered by the thought that the workers had adopted them and their methods as the best form of unionism, but others, including the old busi-

ness agent, saw in the movement a division of authority, a loss of their old-time independence. It was early apparent that the new rulers were lacking in the elements possessed by the old ones. It is still believed by many that the change in conditions caused the old agent to die from a broken heart. Anyhow, he died suddenly, and one of the strongest personalities in the labor movement passed from the shoe industry.

As the membership in the locals affiliated with the consolidated Shoe Workers Protective Union increased, an attack was planned on the intrenched Boot and Shoe Workers Union. Members of the latter joined the new unions, some of them giving as a reason that if they lost their jobs in a "stamp factory" they would be in good standing in seeking jobs in a factory holding contractural relations with the other unions. Others joined a local made up of members of their craft and gave up membership in the Boot and Shoe local. As soon as the new union established a nucleus of workers in any "stamp factory," or a substantial number of any one craft in it, a strike was called. Then a pitched battle followed between the unions and members of unions for supremacy in the field. Picketing was used as a disguise to intimidate and as a license to conduct street fighting. There were no rules. No holds were barred. A worker running the gauntlet of such picketing was in luck if he escaped injuries no worse than a scalp wound. Lacerated feelings did not count.

Union workers were divided into two camps. On one side, members of the "Boot and Shoe" stood firmly for the principle of no change in form of unionism. They were called "conservatives, slaves of arbitration, and creatures of an arbitrary labor dynasty." Against them were pitted a combination composed of idealistic socialists, a group of followers of office-seeking leaders, another group of foreign-

speaking workers whose minds were swayed by the thought that a change called "local autonomy" would result in more money and less work. An antagonism to established order, to things as they were, leavened the lump of destruction. Before this menace of strength the employers surrendered. Sticks of dynamite were exploded on the thresholds of one of the employers who did not surrender. An untimely award by the State Board of Arbitration furnished its enemies with a talking point, and further disheartened the members of the Boot and Shoe Workers Union. Within the association manufacturers were divided. Some favored recognition of the new union, and some argued that the agreement with the Boot and Shoe Workers Union should be maintained and defended. Partners in business were divided over the question. Indeed, a specific case is cited where one partner signed a contract with the new union while another renewed the contract with the old. A final test of strength was centered on a factory, one of the largest among those in the city. The help was about evenly divided as to membership in the two organizations. When those of the new union were called out, the Boot and Shoe, pursuant to the terms of the stamp agreement, proceeded to fill their places with workers from other cities. These were labeled "strike breakers," and their presence in the factory not only inflamed the minds of those who were out, but also caused friction among those who remained in. Thus, in its endeavor to keep its part of the stamp contract, the "Boot and Shoe" found itself supported by a divided association of manufacturers, and the workers found themselves without adequate police protection to pilot them through an abnormal picket line. The executives of this plant "threw up their hands" and moved to another city. Several hundred workers were left with no other recourse than to join the new union. All opposition against recogni-

tion of the Shoe Workers Protective Union collapsed with the termination of this fight.

But one factory remained faithful to the old régime. The company and its employees successfully met every form of opposition that ingenious minds could devise. A resort to dynamite failed to shake them from their position. After the dynamiting and subsequent conviction of the alleged dynamiters, open warfare against this establishment died out, and it ran thereafter without violent molestation.

Having made a success of a movement in Haverhill by absorbing one union, routing the authority of another, and adding its membership to its enrollment, it was not surprising that the leaders of the movement were accused of being "drunk with power." "One union from the Atlantic to the Pacific," they prophesied. Such a program doubtless looked plausible to those visionaries who saw the dawn lighted by the promise of a perfect day, but failed to see and realize the significance in what had taken place. Those whose vision was blunted by a practical sense of "getting while the getting was good" proceeded to build a local organization.

Naturally enough, in such a mass of undigested leaven, there were many opinions expressed and each opinion was the correct one. Minds that united in an attack were separated into several parts after the attack was successfully accomplished. If one local advocated peace another favored war. One which favored a form of arbitration was opposed by another in favor of strike methods. Those which claimed that agreements made by the unions with the manufacturers should be lived up to were assailed by those which declared that such agreements should be violated.

Several of those in control of the new locals used their power to discriminate against members of the old union who had stood out to the end. Fines of appalling size were imposed and the victim was given the choice of paying up

or going without work. One case of alleged extortion became a matter of record in court proceedings. A woman who had been employed as a stitcher in one factory for thirty-five years and a member of the Boot and Shoe Workers Union for the same length of time applied for membership in the new union, after the fight was over. The initiation fee in the Stitchers Union was five dollars, but she was asked to pay $100, the explanation for the extra $95 being that she had remained at work at the factory where she was employed after a strike had been called by the new union. Those who made this ruling gave no explanation to justify it other than that they had the power to make it. The woman paid over, in two installments of $50 each, the amount of money demanded and took receipts. A few days later she was notified by her employer that the union claimed that she was not in good standing, and therefore he could not keep her unless she fixed it up with the union. She went to the headquarters of the local and demanded a "show-down." She was informed that the executive committee had passed upon her application for membership and had decided that if she wanted to be accepted she would have to pay $400 more. Having made one agreement with a crowd, which, in her opinion had, mildly speaking, violated it, she did not enter into another one.

Thereupon she engaged an attorney and caused a bill to be filed in the Superior Court asking that union officials be restrained from interfering with her employment. The general agent, general secretary, and treasurer of the union, together with the business agents of the stitchers local, the chairman and members of the executive committee and officials of the shoe manufacturers association were named as defendants in the suit. The case came into the Superior Court and was referred, by the presiding justice, to a master for hearing. She presented testimony in evidence that mem-

bers of the union had conspired together to extort $400 in addition to the amount she had paid to them. There were letters and written records to support her charges that they threatened and did cause her to lose her job and prevented her from getting employment elsewhere in the district. The case was so glaringly offensive in its disclosures that the officers of the union beat a hasty retreat. They dropped the demand but kept the $100, and the woman resumed her job after being kept out of it for six months.

It was said that her action interrupted a system of pleasant graft for certain officials. This form of fining was regarded as a means of securing "easy money." Fines had been generously bestowed in varying amounts and quite uniformly collected. After the exposures erupted from the stitcher's suit for conspiracy this source of profit was somewhat curtailed. Just to show her, however, that they did not relish the loss of the so-called "easy money," certain union officials decreed that she should be deprived of the privilege of attending a union meeting for one year. Her answer to this ruling was to go to the very next meeting and sit in the front row.

The agreement made by parties in this case that bound the union to restore all rights of membership to the stitcher also prevented a complete record being established by the court, but it proceeded far enough to establish the fact that it was difficult to trace by means of bookkeeping what became of fines. The stitcher had paid $100 in fines in two installments of $50 each. A union official whose receipt acknowledged the payment admitted keeping the money to cover the salary due that week. The fate of the other $50 was not clearly disclosed. The stitcher held a receipt showing that it had been received, but from then on it acted like a squirrel—appeared for a moment in the soft sunshine, gave a bark of delight, a flip of the tail, gone.

It should not be assumed that representatives of the locals and members of the committees were personally dishonest. They were workers, without knowledge of bookkeeping. There appeared to be lacking an accurate set of books, and things had been coming so fast that the need of them had not been realized. After filling in a working card the average official's mind was stumped in any effort requiring further accounting. Notes were made on scraps of paper and handed to some one else to hand to a secretary or treasurer; these may or may not have reached the recording officers. If they did the latter were probably swamped beneath the shower of such memoranda, and before he or she could find time to seek the information to complete the record, other things might intervene. Thus, many transactions were perhaps lost in the shuffle. A jumble such as this naturally substantiated the assertion among workers that their officers were "getting theirs." Perhaps this was true in some instances; but such a thought in the minds of the workers lessened the measure of confidence in the union, which it must have to maintain discipline. In these circumstances an honest official stood in as bad a light as one who was thought to be dishonest. So far as the welfare of the union was concerned, to be suspected of dishonesty was as serious a handicap as though it were true.

Having destroyed the use of arbitration as a final means of settling controversies, some of the unions entered into an orgy of threatened strikes, actual strikes, and other forms of hold-ups alike embarrassing to manufacturers. The workers ruled, their representatives were rulers. The dream of the idealist had come true. The vocal utterances of the union hall orator, promising the workers Paradise, were realized. Utopia had arrived riding "local autonomy." Scores of manufacturers went into bankruptcy, many liquidated, others picked up and moved to localities where Para-

dise was confined to a church wedding, Utopia was thought to be a kidney cure, and "local autonomy" some penalty for back-seat drivers. Opportunities for employment decreased sharply. Where 20,000 had been employed, there were jobs for only 10,000. One man awoke one morning and proclaimed this pertinent question from the housetops so all could hear:

"What the hell is all this Utopia stuff doing for us? What I want is a job! *I'm* hungry!"

He put into words the unspoken thoughts in the minds of thousands.

Then the unions "turned good." A plan for the peaceful adjudication of disputes was devised. It provided for a form of arbitration similar to one that had been tried and discarded in Lynn. It served as a check, however, to further wholesale depletion of opportunities for employment. But after the novelty wore off conditions began to indicate a resumption by certain locals of their former behavior. Manufacturers were engaged in a killing competition. Trade conditions had changed from the manufacture of staple styles to a gamble in novelty footwear. Few manufacturers could find a restful moment in the thought that an order received was a profit gained; rather, he was haunted by a nightmare of cancellations of orders caused by indigestion of the surplus of style changes. Much of his mind was taken from giving consideration to these essential things by being diverted in conferences with labor representatives over matters of trivial importance. The theory that it was impossible to manufacture shoes in Haverhill became a conviction. Proof of this was shown in additional failures, liquidations, and removals.

It was an occasion for another pause in the exercise of arbitrary power exerted through union activities. From the industrial disorder a committee emerged with power to work

out a plan to save the city. From its deliberations came the peace pact, and, whatever the unions might be accused of, superstition could not be included because its members voted and accepted it on December 13, 1923. The peace pact became an agreement between each and all of the members of the Shoe Workers Protective Union and all persons, firms, and corporations engaged in the business of manufacturing shoes and holding membership in the Haverhill Shoe Manufacturers Association. The pact (printed in Bulletin 483, Bureau of Labor Statistics, Washington, D. C.), without substantial changes, remained as their form of government until December 31, 1928.

Meanwhile the Shoe Workers Protective Union were absorbing locals in other localities of the disintegrating United Shoe Workers of America. A formal constitution merging the two organizations was adopted in the spring of 1924 with a claimed membership of more than 23,000. A Rochester man was elected general president, and a Haverhill shoe worker was selected as secretary-treasurer. General headquarters were established in Boston. Haverhill locals formed a District Council and located a central headquarters, each craft union paying its part of the rent.

General officers sanctioned the peace pact with enthusiasm. It was agreed that a salary of $10,000 would be paid to an arbiter who would be selected to serve as chairman of the shoe board. Each side proposed names but were unable to agree on any one of them. This dispute went to the citizens committee in accordance with the terms of the peace pact. This committee selected a man whose name was originally submitted by the union.

The peace pact being sound in principle was hailed with confidence. It provided an arbiter whose salary was paid by the association and unions. But its administration was from time to time criticized. This was not unexpected, par-

ticularly in a community where the acts of any one were freely condemned or praised. Such criticisms caused controversies within the unions; business agents divided over questions of political expediency in the exercise of "local autonomy." Here and there an official, disgusted with the conduct of others, resigned. Others were fired by the workers by electing those who promised more than others had delivered. One large local union left headquarters and established a meeting place elsewhere. For this its charter was revoked but was recovered through threat of court procedure. The arbiter was continually beset with numbers of trivial cases which should have been adjusted in the factories where they originated.

Business agents in cruising about the factories intentionally or unintentionally interfered with the normal conduct of work as it should be performed. A manufacturer was paying treers a day price. They were turning out 12 cases a day of this particular style and he needed 15 cases. He figured out the labor cost at day rate, and offered that price to do the shoes on a piece-rate basis. They agreed and increased their production half a case each without increasing hours of labor, but increasing their earnings. The manufacturer got the extra production he was looking for. A business agent stopped it on the ground that the treers had no right to make such an arrangement without his knowledge and consent.

In order to support a claim for three cents extra a pair, a claim made by a business agent, one of the workers said that it took one hour and fifty minutes for performing an operation that she later admitted required only twenty minutes. Another girl acquired such proficiency on another job that she was able to do far more than one or two others were able to do in the same work. In the presence of others she was asked by a business agent if she were a "horse."

Her production, likewise her earnings, immediately dropped to a par with those of the slower and less skillful workers.

A shop maintaining two stitching rooms desired to consolidate them. This would have given the stitchers steadier work and increased earnings. The business agent denied the right of a manufacturer to do this on the ground that the work on first and second grades should be kept separate. Each grade carried a price of its own, and in other departments of the factory, shop workers performed the work required in both grades.

A company wanted to complete its production for the week and be ready to move to a larger factory. Permission was granted by the shoe board to work on Saturday; the help did not show up. Permission to work Saturday afternoon was granted in another shop. A business agent told the help not to work after noon on that day. A crew of girls disregarded his order and cleaned up their work. A fine of $300 was imposed on them which their employer paid by check. An elated official went from room to room in labor headquarters gleefully waving the check.

Another—and wiser—official said: "Better return it and get the girls to sign their own checks. With our endorsement on it the manufacturer would have something on us. He'll put up the money anyway, but there is nothing to show that we know it if the girls sign checks themselves."

These are merely scraps from a vast volume of similar controversies that occupied the attention of the parties and the arbiter. Prolonged discussions over slight changes in patterns have been the cause of delays resulting in cancellations of orders; it cost one manufacturer the business of a regular customer. A price for vamping in one shop had been agreed upon. It was a new style and a slight variation was made in the pattern which eliminated one turn saving the vamper nearly one-fifth the time in the operation; but

a slight curve, not sharp enough to cause a slowing down in speed, was the reason given for demanding a 25 per cent increase in the base price. This served to head off any change in price, but the manufacturer really paid an increase of 25 per cent. These evidences of controversy appear trivial —part of the daily routine in the conduct of producing shoes. Multiplied, however, a thousandfold, as they are in a market of changing styles and keen business competition, they run into time and expense which, if not carefully handled, end the manufacturers' season in red ink.

As a means of celebrating the success of the peace pact and its tranquilizing influence in stabilizing the industry, a manufacturing holiday was declared on August 28, 1926. Manufacturers and workers united in their "first joint outing" by holding a street parade and a picnic.

A few weeks later the peace pact was renewed for a year and the arbiter reelected under the same terms. The annual price revisions and awards were announced by the arbiter. There was a lot of grumbling, and a deep feeling of discontent was felt beneath the surface. This soon showed itself in public manifestations. The unions announced meetings for the purpose of voting on the question to ask for the resignation of the $10,000 arbiter. All of them, with one exception, recorded a vote in favor. One local gave him a vote of confidence, but declared itself in opposition to the peace pact that made his position possible. A movement was started to organize "one big union." This was disguised by a claim that it was for "social and fraternal objects only." That is, it was proposed that shoe workers everywhere would all join together, at five cents per join, and become "one great happy family." In fact, all leather workers, from the tanners to those engaged in the manufacture of shoe findings, were included in the prospectus.

A meeting was held in Haverhill for the purpose of pro-

moting the movement. A group of 17, representing the leaders in the movement, sat on the platform in full view of an audience of about 300, composed almost entirely of Haverhill shoe workers. A Lynn man acted as chairman. A local speaker declared: "Our arbitration system in this city is all one-sided, and you know it. How long are you going to be hoodwinked? It is time that you woke up. This progressive movement is the remedy for your present industrial enslavement. Your organization is weakened when you surrender the right of collective bargaining and the right to strike to back it up. You have given that up to arbitration, yet the strike is the only weapon at the workers' command. We want you in this new workers' movement."

This explanation of the purpose of the new organization and the invitation to join it appeared to conflict with what had been described as a purely social movement.

"Of course," one of the promoters said, "if we were all banded together and took a notion to declare a national holiday in the industry, it would be an outing, not a strike. During the vacation, however, if the bosses offered us something in the way of concessions, it wouldn't hurt our feelings any, and we would be greatly refreshed by the time we went back to work."

Another speaker used the occasion to criticize the general secretary-treasurer of the Shoe Workers Protective Union, a Haverhill man. He heard of it and in a few minutes appeared at the meeting. The chair, however, refused to recognize him when he sought to reply to a personal attack that had been made by a previous speaker. The visiting official insisted on a right to be heard, but the chairman persisted in denying him such right; that he was not going to "debate the question with a paid official" of any organization; but if the secretary-treasurer desired a committee to represent him in a future hearing "it might be arranged."

"These are Haverhill shoe workers," was the retort, "and I don't need any committee to represent me. I can speak for myself."

This was the beginning of the end of the party. The secretary-treasurer, slight, wiry, unafraid, at that moment if at no other, justified his election to the office he held, and gave ample proof of his qualifications to hold it.

Just about the time when manufacturers were hurrying to complete their orders for the Easter trade, the nigger-head operators decided to hold an "outing" and took "time out" for this purpose. The "outing" lasted several days. It paralyzed the factories making McKay stitched shoes; it is an essential operation. Every shoe must be handled by the nigger-head operator. When the shoes in process reached that department, they stopped. Frantic manufacturers sought relief. Twenty-nine member firms of the association brought suit against the strikers and caused trustee writs to be served on savings banks and attachments on real estate, individual holdings of the offenders. The business agent held himself blameless. He said he could not prevent the men from taking an "outing," nor limit the time of such "outing." It was not a strike, it was said, therefore not a violation of the peace pact which prohibited strikes. The general officers and some of the other locals took a different view of the situation, however, and an effort was made to secure operators. Several of the places of the "outers" were filled. Some of the men, who were especially friendly with a foreman or employer, returned to work in a few days. Presently all were back, "greatly refreshed by their outing," as they described it.

These tactics doubtless were the means of causing the arbiter considerable mental disturbance. They were forms of humiliation most likely to break his spirit. It may be that close contact with the parties had inculcated a desire within

him to adopt similar methods. Be that as it may, he himself went on a "strike," or, as some authorities might maintain, he declared a lockout. In a communication designated "Greetings" issued to the parties on May 20, 1927, and given to the press, he declared, "The situation seems to me sufficiently serious to warrant immediate suspension of consideration of all pending cases. No hearings will be held by the shoe board until further notice."

It seems to me that the arbiter conducted a "strike" when he suspended pending cases and remanded them to their originators, and that he announced a lockout when he notified the parties that no further hearings would be held.

My opinion was subsequently supported by a justice of the Superior Court in a decision removing the arbiter.

After the arbiter's removal the parties scurried about to find a successor. This opened the way to further controversy. The manufacturers association first proposed the name of its manager. The unions received and considered the proposal and passed a vote to cut the salary of arbiter to $5,000. The manager was a ten-thousand-dollar man, but the action of the union implied that he was not worth it. His name was withdrawn. In this emergency it was proposed that the Secretary of Labor be requested to assign a commissioner to act temporarily as arbiter. This was regarded as having some merit, but reasons were found to oppose it. One of the manufacturers who had come to Haverhill a few years before favored the appointment of a shoe cutter, a former business agent. Several of the unions did not approve it. This constituted a dispute within the meaning of the peace pact and the selection of arbiter was referred to a citizen committee. Of the names submitted the committee selected the shoe cutter. The new arbiter took office just in time to receive and consider the annual

revision of wages. A decision was made and on January 7, 1928, a general cessation of work took place.

It was a strike, but was not a strike because the peace pact prohibited strikes. It was called a protest against the decision. This was the occasion for several days of turmoil. The season was on. The factories were filling orders. The general officers of the union, very properly holding that the strike was illegal, refused to sanction it, and advised the strikers to return to work. The strikers advised their general officers to stay out; this was "local autonomy." There was nothing to arbitrate unless it was the issue of rebellion, the right of either party to a peace pact to break it.

The parties, chronically unable to agree, caused a special citizen's committee to be organized and authorized to inquire into the controversy. As a result of this endeavor to compose the disputants, the manufacturers decided to ignore the decision handed down in accordance with the terms of the peace pact and restore the former price list.

The parties did agree, however, to request a United States Commissioner of the Conciliation service to arrange for a special examination to be made of conditions in the shoe industry in Haverhill. Conferences were held at Washington with Secretary of Labor James J. Davis and Commissioner Ethelbert Stewart, chief of the United States Bureau of Labor Statistics, and on March 27, 1928, confirmation of verbal agreements signed by the manager of the Haverhill Shoe Manufacturers and the president of district council of the Shoe Workers Protective Union were presented to the Secretary of Labor.

Agents of the bureau were sent to Haverhill and made an exhaustive survey and later delivered to the parties a report (Bulletin 483, U. S. Bureau of Labor Statistics, Washington, D. C.). The report, among other things, gave reasons for removals, failures, and liquidation of shoe fac-

tories; causes of losses and struggles of small manufacturers; conditions in contract stitching shops; wholesale prices of shoes, 1925 to 1927; average hours and earnings in Haverhill and other cities and also by states, 1916 to 1928; earnings by occupation in a busy and a slack week; employment, payrolls, and earnings, 1925 to 1928; descriptions of the organizations and peace pact and conditions relating thereto.

In making this joint request for the survey the parties were morally, if not legally, bound to continue the peace pact without change. Yet the agreement to observe the conditions imposed by the Department of Labor had barely reached Washington before certain members of the unions in Haverhill began a quiet campaign to terminate the peace pact and get rid of the arbiter. This movement appeared on the surface formally on August 16, 1928, while the survey was in process of being prepared for the public printer. On that date the Shoe Workers Protective Union announced that a referendum vote showed 570 members against and 23 for the continuance of the peace pact after December 31, 1928. The total vote of 593 was only 8 and 2/3 per cent of the total of 6,847 members of the union in good standing as of July. Leaders of the movement explained the small vote by stating that it represented the sentiment of the rank and file of the union.

A number of years ago, when the writer was a member of the Massachusetts Board of Conciliation and Arbitration, he was conducting a public hearing in a large Massachusetts city to ascertain the cause of a strike and the parties most responsible for its existence and its continuance. The issue was the right of employees to join a union. A large and successful employer, the late Richard D. Reed of Westfield, was testifying. He was not a party in the strike but had

been requested to attend and offer testimony as to the methods he used in his relations with employees.

"Any employee in your works ever ask you whether he had better join a union?" Mr. Reed was asked.

"Oh, yes, they ask my advice frequently."

"What advice, if any, do you give them?"

"Well, when one of the boys puts it up to me, I look at him pretty solemnly and then I tell him it is a question he must decide himself. 'But,' I say, and I repeat this twice. 'But,' I say, 'if you do join the union, attend the meetings.' "

"Meaning that if all members of a union attended the meetings it would be a better union?"

"Sure," Mr. Reed closed, while the chamber applauded his sagacity.

The district council gave the manufacturers association written notice as provided in the peace pact of the decision of the union to terminate it on December 31, 1928. While all these formalities were performed ostensibly by the union, the decision to practically scrap the peace pact was almost unanimous. Not only independent manufacturers but members of the association were voluntary parties to the cleverly executed scheme. When the general wage schedules had been considered in December the arbiter had awarded reductions which went into effect in January. A protest against such reductions was almost immediately manifested by the general strike which was settled when the manufacturers backed down and agreed to restore the 1927 price list. Therefore, they were in a ripe mood to welcome a general reduction of 10 per cent as of June, 1928, voluntarily made by the union. As a condition precedent to enjoying this saving of 10 per cent in wage cost each manufacturer was obliged to sign another form of agreement.

In order that its members could legally, as individuals, sign this agreement they were released by the manufacturers

association from any obligations prohibiting such action in the constitution and by-laws. By this act the association joined with the union in sanctioning a new agreement which discarded the peace pact, although the latter was to remain in force for six months. The consideration was 10 per cent in hand paid.

When winter came many of the manufacturers awoke to face a situation which they feared might become dangerous. They were enjoying the financial consolation of a 10 per cent reduction, and were all dressed up; but "Where are we going after the first of the year?" one of them asked. The new contract which they had signed a few months before, in which they grasped only so much of it as referred to the voluntary gift of 10 per cent, they now found had not only scrapped the peace pact, but was throwing the shoe board, arbiter, and the manufacturers association into the same pile of discards. Each manufacturer was to be his own sole negotiator with the various business agents of a dozen or more local unions without recourse to association or peace pact arbiter. He saw visions of craft cunning to obtain increased prices for work in key positions which, if granted, would mean the spread of similar increases throughout the factory. To be sure, a provision in the new agreement provided for arbitration in case of disagreement, but who would be the arbiter? Easy enough for him to select the foreman or some other person having knowledge of the details of the controversy in the department where it existed, but where would the third man come from? The final voice of the arbiter who makes the award? The method of such selection was simply stated in the agreement—it seemed businesslike and friendly, too; but in a locality where the parties in the industry had become proficient in their ability to disagree, the possibility of selecting a neutral arbiter by agreement appeared increasingly difficult.

Efforts were made which contemplated a consolidation of the new agreement with the peace pact. It was proposed to keep the peace pact and the 10 per cent reduction and scrap the new agreement. This naturally met with opposition among those in the union who had promoted the plan. Failing here, the public was appealed to. The press began an active advocacy of a conference that would consider retaining the peace pact. The arbiter established by the peace pact and his friends, together with political influences, joined in the effort. An appeal was made to the United States Commissioner of the Conciliation Service to help. The commissioner called a conference of the parties and after discussing the report of the bureau of statistics, the new agreement, and the peace pact which were the subject matter of the conference, he declined to recommend any change other than a slight one which would overcome the delay, if any, in the selection of the neutral arbiter to serve in accordance with the new agreement.

The commissioner held that the new agreement was the voluntary act of the parties in interest; that it was, in fact, a trade agreement clearly defining the relations of the parties who had voluntarily agreed to be bound by it. No agency other than the parties themselves could change it, he declared. This was the final pronouncement ending all appeals to save the life of the peace pact. Strangely enough, it was uttered by the commissioner who had supported it in the past, endeavored to strengthen it whenever possible, and had vainly endeavored to convince the parties of the dangers that threatened its maintenance; but, mindful of the integrity of a trade agreement and the rights of parties to make such agreements, he recognized such rights as manifested in the new agreement and upheld the expressed will of the parties to cast their much-abused peace pact to an undeserving end.

Did you ever hear of a business agent of Irish descent and a Jewish manufacturer engaged in argument? Following one of these controversies the issue landed in court.

"Who is the head of your concern?" the employer was asked.

"Well, that I can't tell you. I pay the bills and the union runs the business."

Which seemed to indicate that it was a draw.

A pair of disputants of this kind had intermittently argued a question of wage. In the afternoon of December 31 the business agent came in and informed the employer that he was going to take the members of this craft out unless the wage request was forthwith granted.

"You can't do it!" the employer shouted. "The peace pact—"

"To hell with the peace pact!" the agent interrupted. "It went out of commission at noon today."

"Who says so?"

"I do, and it goes, too. We are operating now with the new agreement."

"But that says we shall arbitrate—I want to arbitrate, I insist on arbitration, I demand my rights in—"

Disdainfully, the agent turned, stalked into the department where his men were working.

"Everybody come out!" he shouted.

The employer had trailed along still insistent about his "rights." As the men left their work, however, he gave in. With voice trembling with rage, smarting from the sting of force arbitrarily administered—the kind acknowledging defeat, a recognition of his utter impotency to cope with it—he announced:

"Go back to work. I'll pay. I got to until there ain't no more. But why can't I arbitrate like the agreement says?"

"Why, we have just arbitrated the case," the agent consoled; "there isn't anything to arbitrate now."

Whether or not they exchanged holiday felicitations is not recorded, but the prompt application of the form of arbitration afforded by the new agreement presaged the dawn of a New Year fraught with interesting arguments and enchanting interpretations. And the first six months developed many. Then, as the agreements expired and the employers refused to grant demands that the 10 per cent, given a year before, be restored, strikes were called. The factories, with the exception of two, were idle and the workers loafed for many weeks. The manufacturers association was revived and showed a determined front. They even threatened to try the "open shop" method. They let it be known that no joint agreement would be entered into unless and until the members of several local unions "cleaned house"—that is, elected new business agents. Several of the old agents had "worn out their welcome." Many workers were impressed by the energy shown by their agents and believed them to be competent, but it was the sort of competency that cost the deluded ones the loss of many pay envelopes.

Under the forced pressure of a long strike the business agents, with one exception, resigned and a single agent was selected with authority to act for all the locals in any matter to be presented to the manager of the manufacturers association. This appeared to be a fair division of representatives in controversy—one on each side—but here, again, their relationship became pregnant with the sores of humiliation and envy. Several of the resigned agents were capable of exercising an interest in the plan which might or might not be of constructive value to the new general agent, but it was quite certain to be an endeavor to restore "local autonomy." One agent who refused to resign was auto-

matically deposed, it was claimed, by the votes of other locals on August 9, 1929, which adopted one general representative to act for all. The deposed agent, a woman of great energy, with much influence among the stitchers—the largest local in the district—was not the kind who meekly turns the other cheek.

And so they continued to live unhappily. The parties first revolted against the authority of a general agent and adopted "local autonomy." Then they retired "local autonomy" and restored "local autocracy." Either form of relationship is good government, but its maintenance is subject to a quality of joint discipline which neither party has concertedly shown.

CHAPTER IX

Divided Employers Spread Confusion

The Haverhill manufacturers did not start right a few years before when contractual trade relations were disrupted by a contest between unions. Conditions were changing, and few of the veteran manufacturers were left in the industry. The industry was filled with others who had come in during the flood of war prosperity. Some of these were of a type lacking in stability, not good material to strengthen an association of employers. Many of them remained independent of the association and others were used as pawns by contesting unions against other independents and members of the association. Some of them were won by threats, others with guile, a few by cajoling with promises of special profits.

Therefore, when the remaining veteran manufacturers made a stand to keep and maintain the stamp contract with the Boot and Shoe Workers Union they received little, if any, support from other manufacturers. A number of the latter believed what they were told: that a change in the union would be better, that it would make for more and better production; that the employees would be better satisfied with a new form of unionism. Other manufacturers of less experience, believing that one union was as good as another as long as they had help to get their product through, were indifferent as to the outcome of the war between the labor organizations.

These beliefs disclose their shortsightedness. They did not appear to realize that a revolution was going on that

was poisoning the minds of those who took part; that this form of poison would induce more and perhaps better revolutions. They needed but to turn to Lynn to see the effect of this spirit of revolution which polluted the shoe workers there. They had knowledge of these conditions. It had been a matter of common talk among them for years. Many had expressed a thankfulness that they had been free from conditions that had kept Lynn in a state of industrial turmoil. Yet, the same thing was right on their threshold, and when it knocked they opened the door and gave the spirit of revolution a shout of welcome.

The situation in which they soon found themselves was as expensive and costly as the halting of a job is to contractors in the building-trade industry as a result of jurisdictional disputes between unions. Employers caught in a jam like this are far more helpless than those disturbed by a campaign between unions to dominate an industry. One is an effort to determine which one of kindred organizations has the right to exclusively perform certain work. The other is a revolution, political in character. In a locality where revolutions are recurring, or threaten to recur, a course to follow is open to employers. This course was not taken in Haverhill. The employers were divided among themselves and this prevented unity in action to seek independence to establish and coördinate their industry on an "open shop" basis, as was done in Brooklyn.

Then, too, the parties—frequently aided by newspaper men—adopted the latest devices in vocal firearms, using vocal machine guns capable of pouring at each other unceasing volleys of requests, demands, charges, countercharges, epithets, and violations, most of which were given ample publicity to inspire the making of further and continuous supplies of ammunition to select from. They created an abounding suspicion each in the other. They re-

moved the sources of reason and supplanted a spirit of contest. They took on an aversion to agreement which became chronic.

These are the traits of weaknesses which have kept alive the spirit of discord in Haverhill. The manufacturers maintained a high state of incompetency by repeated failures to agree, not only with the union, but among themselves. Many of them were normal, efficient business men, fair alike to employees, associates, trade, competitors, and public. Some of them saw clearly enough what should be done, but their advice was unheeded by manufacturers who dominated a majority. It was the custom among manufacturers in the association to defer to the judgment of associates who employed the largest number of workers. Dues to the association were regulated by the number of employees in the factory of a member. But there were too many in the association, and out of it, who thought in terms of self, in what the association could do for him and not what he could do for the association and for the best welfare of the industry.

The manufacturers were by no means in agreement, nor did they get together, compose their differences, and unitedly determine on a proper policy to deal with the changing conditions. They talked a lot, man to man, and in groups, but their policies were those of individuals confusedly dealing with the union. The act of a partner who signed an agreement with the new union without the knowledge and consent and in opposition to his partner's views, was a hasty, ill-considered act, but typical of the acts of other manufacturers. They opened the way to industrial degeneracy, and all who remained in business suffered as a result of it.

They should have known that the methods used in promoting the labor revolution were sure to sully the minds of workers and cause them to become unmindful of ordinary

employment relations. It was a contest precipitated by those who had participated in other labor revolutions, who were trained in a school of revolution organized by those who had revolted or whose membership had been abruptly terminated in the veteran Boot and Shoe Workers Union. There could be no hope of peace in the industry in dealing with an organization springing up from such sources.

This is not intended as a criticism reflecting on any individual representing a union. Indeed, the general officers, at the time this line is written (1929), in my opinion, rank equally in intelligence and integrity with the highest-minded executives in any labor organization; but they were the heads of an organization with which was affiliated a group of local unions whose organization was conceived in a spirit of revolt and whose memberships were accomplished by means of an internecine revolution. Their hands were tied by a local autonomy, and "local autonomy" in Haverhill contains the ingredients for creating chaos.

All local unions have "local autonomy." Properly defined, this means a right given an employee or a group of employees to seek and obtain changes in wages, working conditions, hours of labor affecting their employment. Assistance may be sought from their international office whenever it appears desirable, and an international representative will aid them in negotiating an agreement and give such advice and counsel as the circumstances require; but "local autonomy" is sometimes used by local leaders as a means to misrepresent, to lead members of unions into taking an entirely wrong conception of the authority conferred by it. It has been used to deceive, and such deception has destroyed unions. In the hands of Communistic leaders in Brooklyn a deceptive misuse of "local autonomy" wiped out over night the membership of most of the shoe workers unions in that city. The big manufacturers there

in desperation applied the only remedy for the improper use of "local autonomy." They rigidly and unitedly refused to recognize it. They opened their factories on an "open shop" basis and their old employees flocked back. A majority of the latter discovered for themselves that too much of "local autonomy" made thin pay envelopes.

"Local autonomy" is a stirring phrase in the mouth of a union hall orator. It inspires others to orate. A normal man or woman hankers for attention and distinction. An orator loves to feel the tingle, the thrill which applause brings. It is stimulating. A tongue-tied person, shy and retiring, wishes that some wand of magic will confer on him the gift of oratory. Controversies discussed at a labor union meeting offer opportunities for all to get up and say something. Those who feel the urge go to the meetings and, step by step, perfect themselves in thinking and speaking on their feet. A phrase such as "local autonomy" readily yields to vocal inflection. It can be made to seem a thing offensive. It may be made to appear as the Magna Charta of Authority and Justice, spreading its mantle of Equality over all. Then, too, it is open to argument and interpretations. It can be interpreted by the skilled union hall orator and by the simplest-minded member of the union in ways original and interesting, seriously and humorously. It can be made to convey an insult, bestow a caress, defeat or win an issue, make a friend, confuse an enemy, create a war, or invite peace and good will. It was made to sit up and do all these tricks, and the performances have at the least cost the Haverhill shoe workers, individually, the price of a high-grade sedan and its life-time upkeep, including gas and oil. Or, if the shoe worker did not want the sedan, he could see its equivalent applied on the house he is trying to pay for; provided that he is not blinded by prejudice.

As the manufacturers in Lynn were to some extent re-

sponsible for the continuance of bad conditions there, a greater responsibility must be shouldered by manufacturers in Haverhill for conditions in that city. They showed an uncanny capacity to do the wrong thing at the right time. They gave in when they should have stood firm, and stood firm when they should have conceded. They threatened to be determined but chose to be stubborn instead. A measure of this incompetency may be traced to the troublesome times arising from competition in the market of shoes. Many manufacturers, expanded beyond their capacities, facing manufacturing losses, harassed by bank or supply houses, and dismayed by cancellations, quite naturally became impatient and irritable. Such conditions create a state of mind ripe for contest.

The manufacturing capacity of shoe factories in the United States is much greater than the demand, in normal times. This creates a buyer's market, a condition of feverish competition. A manufacturer—not handicapped by lack of capital and credit—is still uncertain of being able to operate profitably in a gamble with change in styles of footwear, and it is not surprising that many of them in Haverhill relaxed in self-discipline. They had reached a state of mind that caused them to express horror at the sins of the other fellow without realizing that they had not taken time to correct their own. They resorted to courts for relief instead of acting on their own initiative. All of these legal actions had to do with the conduct of normal relations between the employer and employees, and a fair conduct of such relations was impeded and obstructed. Any employer who feels it necessary to call in a court to deal with his employees is throwing good money after bad. In some localities, in some trades, with some people, it is sometimes necessary; but, when one is considering the mighty number of employers and a mightier number of employees

working together daily, year after year, without resort to court and injunctions, the need of such instrument of compulsion seems unnecessary. A good employer ought not to require an injunction more than once to make shoes, if at all.

The repeated resort to courts by both parties in Haverhill were admissions of incompetency to conduct their industrial relations normally and fairly.

The futility of resorting to court action was apparent in the case of the effort to remove the arbiter who had declared that the peace pact was worthless—the same pact which had been renewed six months before and which had served to regulate the relations of the parties since 1923. The parties who had made the pact said it was good, therefore establishing a position which the arbiter condemned by his assault on it. Unions had declared by vote that the arbiter was useless. The manufacturers said he was not. This was another example of the inability of the parties to the peace pact to keep one.

The union was justified in believing that the arbiter had disqualified himself. In an endeavor to save the peace pact, the manufacturers were urged to agree with the union in its defense and unite on a plan to secure the resignation of the arbiter which would save him from humiliation in being removed by the court. Obviously, the arbiter had grossly violated the terms of the pact, had held it up to public contempt, and unconsciously, perhaps, included the parties to it and those who had made it. By that act he had endeavored to break down the form of government which the parties had erected for the conduct of human relations in the industry, but the manufacturers accepted this insult with complacence.

In effect they sanctioned the arbiter's "strike" and defended the "striker," purely against the letter and spirit

of the peace pact, an instrument of industrial government which they, themselves, had jointly created. They did not, however, accept his recommendation to hold an immediate conference of the parties to consider and formulate new policies or make any movement to accept his recommendations. They simply ran true to form by maintaining a chronic opposition to the union. They professed to believe that it would be unfair to join in any movement to "throw out the arbiter."

Their attitude further weakened the influence of the peace pact. They evaded the responsibility which they shared equally with the union in the maintenance of the peace pact and "passed the buck" to the Superior Court. It was easy enough to forecast accurately the decision of the court—a decision likely to make the attitude of the manufacturers appear childish, foolish, stubborn.

The arbiter had sent a copy of his "greetings" of May 20 to a daily newspaper in Haverhill and went to New York to attend an exposition, leaving no information as to when he would return. His communication went to the manufacturers and unions without warning, and its publication was in the nature of a sensation. The parties and the public were unprepared for its reception. Opinion was divided as to whether it was meant to be construed as a resignation, but a general understanding of it, derived after careful reading, was that it was an arbitrary refusal to hear and determine disputes pursuant to the terms of the peace pact unless the parties forthwith proceeded to change its form in accordance with his recommendation.

On May 23 the union caused to be delivered to the secretary of the Shoe Board of Arbitration a reference asking for the reinstatement of an employee who had been discharged and was not working. Having knowledge of the communication sent out by the arbiter three days before,

and having assisted him in its preparation, the secretary refused to receive the reference and it was returned to union headquarters.

The dispute over the meaning of the arbiter's communication continued to confuse the situation until his return a week later. Then he added to the confusion by implying that what he had said did not mean anything at all; that he was back home, the office was open, and he was ready to do "business at the old stand," in the same old way. If any further proof of his unfitness had been required, it was provided here and by a competent witness. He ought to have recognized that his value as arbiter had been dissipated. As a matter of fact, he should have admitted it three months before when the unions were publicly voting on the question of asking for his resignation. It was a public affront which he failed to treat in a dignified way. Whether or not the unions were in earnest they voted almost unanimously in favor of his resignation. It stood as a record and he remained in this state of humiliation until May 20 when he issued his communication, which could readily be construed as an effort to retaliate. It would have been proper for him to have heeded a request for his resignation, whether it was made by the union or by the manufacturers. A request by either was 50 per cent of the controlling element. They were equal parties in the peace pact. The arbiter was merely a creature of it.

With one party on record against him any decision he might make thereafter would provide opportunity for criticism. If the decision appeared to favor an employer the union could declare that it emphasized an established prejudice. A decision against an employer might naturally arouse a suspicion that the arbiter was trying to win back the favor of the union. Whichever way it was taken, the burden fell back on the peace pact. It did impair confi-

dence in the influence of the pact to insure industry against serious strife. The failure of the arbiter to resign at that time, or, subsequently, on May 20 when he implied that he would, and later said he would not, seems to be a convincing record that if he could not have his own way he would destroy the peace pact that denied him that right. He appeared to be willing that the pact—a form of government erected by the parties for the protection of the public and the industry—should be tumbled into the maw of perennial discord.

Competency to administer presages confidence in the administrator. The union was on record that it had withdrawn its measure of confidence in him. Assuming that the opinions he expressed were sound ones and the recommendation he offered was reasonable, they were not likely to be fairly considered. The arbiter invited prejudice against them by publicly attacking at least one of the organizations authorized to consider them. He had taken a positive position and one most unlikely to inspire confidence in him to the extent, anyway, that the union would cooperate in any movement he recommended. Leaving out all speculation as to his intent, he gave as his opinion that everybody having anything to do with the peace pact was out of step with it, except himself.

No sound reason was given by the arbiter or counsel why he permitted himself to become a defendant in a court of law to establish his competency as impartial chairman of the board of arbitration. A reason given was that by continuing to serve, even technically, he would be able to collect the amount of his salary which the union refused to pay after May 20. But the industrial peace of a community was at stake. He simply stuck there in sullen silence, sinking in the same quagmire with the peace pact until the court decree yanked him out.

These varieties of futile legal prosecutions and charter revocations in internecine controversies lost their intended effect and conspired to arouse a contempt for the influence and equity of all forms of governmental discipline. Nothing happened because they were not followed through. Manufacturers sued individual workers and attached their several properties, but it did not mean anything. No one paid. If damages were assessed they remained uncollected. Such efforts are now regarded as gestures, and therein lies the real damage. Each failure to finish what was started became another reason to encourage workers to go a step farther. So, instead of a deterrent, it became a stimulant to incite other violations. A lack of discipline betrayed by one side aroused in the other a desire to retaliate.

"Local autonomy" conspired to lead the workers into maintaining a cumbersome, inefficient, and expensive method of dealing with employers. It created too many business agents and not all of them were good salesmen to represent workers; but such as they were they were the choice of their respective locals, the fruit of the concerted wisdom of its members. It was local autonomy.

A competent business agent is one whose duties correspond with that of a salesman selected by a company to represent it in the trade. His success and advancement is dependent upon his ability to sell goods, render a service that gets the respect and holds the confidence of his customers. He makes friends and keeps them. A good salesman does not antagonize his customers. With some he is obliged to be firm, to hold his ground; but he does it tactfully, without becoming offensive; and thus many times winning respect. He avoids methods that antagonize. He does not walk in on a customer and tell him what he has got to do if he wants to continue in business. He does not use tactics adopted by a brawling business agent in Haver-

hill who was convicted and fined in a police court for assaulting an employer. Neither does he use the method of a business agent who dashed into an office and announced to the employer: "The extra price for so-and-so work on that pattern is twenty-four cents per dozen pairs. Haven't time to stop and talk about it. Wouldn't do any good, anyway. Our price is final. If you want to make that style you will have to pay it." This was "high-powered" salesmanship—the kind that sooner or later compels an employer to trade at an "open shop."

Among other deceptions that "local autonomy" has created in the minds of the workers is a thought that it gives to a business agent and themselves a right to crowd an employer until their acts become an actual invasion of his right to conduct his business. If "local autonomy" means anything, it first means good government, and this is expressed in the integrity of the governed. Haverhill workers have not been mindful of their obligations in consenting to be governed. No one, apparently, had interpreted to them the meaning of the peace pact, by which they voluntarily obligated themselves to be governed. The pact was not forced upon them arbitrarily. It was a trade agreement, an instrument of industrial government defining the conduct of manufacturer and worker, each to the other "one for all and all for one"; conditions of employment; fixing hours of labor; and binding each to pay and accept scales of wages established by agreement or awarded by arbitration. They helped to devise it. They assisted in its preparation, negotiated its provisions, and approved its adoption by vote. Thereafter whenever the workers violated it they challenged the world to bear witness that they were incapable of keeping their word; that they were without ability to govern themselves. When they scrapped

it they showed a lack of faith in themselves to build a good government and be bound by its civilizing influences.

No one explained and defined these obligations for them. Such explanation would be ineffective to a certain number of Communists in their ranks who actively disregard any form of government, but a large majority of workers are normal men and women who want to keep their word. They were blameworthy to the extent that they were too easily misled by those who had a selfish motive in doing so. All that is necessary to perpetuate good government is to understand what it is—that it is the act of individuals who consent to be governed, acting together in an agreement to protect each other from those who attempt to withdraw such consent.

The establishment of the peace pact was an accomplished reform. It was an ambitious endeavor to Americanize a spirit of revolution among many of those engaged in the shoe industry, but it was not followed up. The tranquilizing order of peace was welcomed with ardor by those who were weary of warfare, but having done that they left the protection of its soul to the benign influences of a spirit of Communism, enemies of the government, promoters of discord. There was created a false sense of security, culminating in a special holiday in the industry in 1927 to celebrate the "restoration of peace" and the return of prosperity. It was described in the press as the "first annual" field day, when employer and employed walked shoulder to shoulder. It was manifestly a good endeavor to perpetuate; to advertise confidence in the industrial welfare; but, again, it was not followed up. The "first annual" field day was also the last.

As it was with manufacturers a failure to agree was chronic among unions. "Local autonomy" was stressed, but not understood. Some local unions regarded it as free-

dom from the control of the district council, and there were those among the district council who used this sentiment in its relations with the general office of the union. The misuse of local autonomy was influential in promoting acts of insubordination which encouraged the workers to commit violations, to declare "outings"—nee strike—whenever it appeared to them personally gainful or merely to feel a satisfying sensation of being "cock of the walk."

The nigger-head operators felt this exultation when they, a handful of workers, were able to stop other operations in the factories—prevent the making of shoes and deprive thousands of other operatives of the right to earn wages. They showed no apparent conception of the discipline of government as expressed in the terms of the peace pact. It was "local autonomy." Their acts of violation were an admission of impotency, the incompetency of children to rule themselves. They did not show any signs of self-discipline nor honor, faith, nor responsibility. They were unfaithful to the bonds of their own union government. It was not entirely an endeavor to enforce a legitimate demand of a union. Mainly it was an egotistical show of power, expressive of a desire to dominate, to satisfy a demand for a thrill. "Village cut-ups" revel in this kind of stunt. It is a form of mental recreation enjoyed by those who like to exult over some one's misfortune. When a farmer tipped over a load of hay it caused a delay. Before he could repair the damage a thunder shower wet down the spilled load and the rest of the crop lying in the field. This incident was a regaling piece of news at the crossroads store. It was a misfortune but the cause of a laugh.

The trade agreement between the unions and the manufacturers which succeeded the peace pact offers further opportunities to exercise "local autonomy."

It can be used as a means of clarifying conditions to separate the good from the bad. Under its rule a manufacturer can be made to "sink or swim" or he can make the union "fish or cut bait." Here may be practiced a definition by David Swing:

> Capital is condensed labor. It is nothing until labor takes hold of it. The living laborer sets free the condensed labor and makes it assume some form of utility or beauty. Capital and labor are one and they will draw nearer to each other as the world advances in intellect and goodness.

But the employers and unions must restore a state of discipline before they can live in a state of reunion defined in Swing's preamble. They must first recover a state of mind which will enable them to agree and keep agreements. They must overcome the chronic state of disagreement which they have set up. The peace pact, which contemplated a return of confidence and discipline, did not cure it. The first six months of its life in 1924 recorded a continued inability of representatives of the parties to agree on decisions. When one voted "yes" the other voted "no." On a major matter like the selection of an arbiter the parties did not agree and each participated in the public humiliation of letting a citizens committee make the selection for them.

Discipline in industry is like the governor on the engine. It controls the steam which propels machinery. The force of its drive, the speed of its revolution, the whirr of gear and pulleys all find their source of control in a funny little jigger perched atop the cylinder chest, making its turns placidly, without wobbling, making a fuss, or loudly proclaiming the greatness of its influence. It is a product of invention, the perfection of engineering, and it expresses the discipline of steam power. The mind of man is a mental

engine and it is up to him to attach to it a governor to regulate the proper exercise of its power. When, in the vernacular, he "pulls a bone," "flies off the handle," commits a breach of the peace, or violates an agreement—these are the signs that his governor needs regulating; yet no one can do this except himself. Discipline is intangible to many. It exists, they hear of it, but in its relation to them they cannot see it.

To define discipline and explain its regulation by the self acts of the individual is a difficult task. Few understand what it means, be they workers or "malefactors of great wealth." It is almost indefinable. It is a part of one, and being so close to it, merged as it is in oneself, it is taken as a matter of course and subjected to many abuses —imposed without intent. After carefully explaining this aspect of human relations to a body of workers one of them got up and inquired, "What has discipline got to do with us?"

My reply was: "Do the day's work, put your mind to it, see if you can find a way to do it better than you did the day before. Mind your own business and ignore those who attempt to mind yours. Carry this state of mind to every union meeting. Listen to others. Find out how much local autonomy costs you, and why. Ask everybody. Listen some more. Don't take anything for granted in the way of panaceas that are offered to better your job and the jobs of others. You will find that the best place to better these is on the job itself. You will find, too, that a willingness to work and an understanding of your job will bring to you a pleasure in doing it, and this attitude will help to make your union what it ought to be—insurance against needless loss of employment and a protection against imposition by unfair employers. You will then pos-

sess discipline without being conscious of its presence and influence."

Go into a well-operated plant and the very atmosphere in those busy rooms reflects discipline. It comes from the top. It comes from the directors to the executive officers, and from them it spreads to every department through the supervisory force. The degree of its quality finds a like reflection among the employees. If there be one among them who complains that the others do not keep step with him, there is a lack of individual discipline. It may be chronic. It may be temporary, like an employee who has had a hard night, goes to work in the morning to find that everything that was all right the day before appears to be all wrong now. He may say to himself or he may announce to others that it is a "rotten job," that the concern is running a "slave-driving" business, and he would "like to take the boss out and show him a few things." He grouches along until noon. Then, after a good dinner, things look different. If he remembers that he was on the point of "jacking up the job" a few hours before, he is likely to give himself a silent kick for being a "damn fool." That is temporary loss of self-discipline. Quite usual and readily overcome by the man himself. The atmosphere where he works, the attitude of others, an understanding tactfulness of the "boss" himself, all contribute to help the man to discipline himself. Another man may continually find fault with the tasks he is set to do, complain of the work performed by others, regard the "boss" as a "misfit," and speculate as to what sort of "pull" landed the latter in the position he occupies, and why he is kept there. His condition is chronic and he doesn't stay long in employment in any place.

When some change is made in conditions of employment affecting all the employees, it becomes a matter of general

concern. It is discussed among them. Opinions and comments dart through the shop from one department to another by an unseen but not unfelt "grapevine circuit." This is when the quality of discipline established within the plant feels a tug. It is a test of its capacity to control. If discipline at the top is or has been faulty, the quality of it will show itself unmistakably among the employees, and whatever action they take will reflect the training they have been given. If it has not been good the employees will carry their own self-discipline to the union hall, to seek the solace of their council and a reaction in "local autonomy." These are the processes which promote and maintain a chronic lack of self-discipline which changes normal, industrially minded citizens into advocates of breaches of industrial peace.

CHAPTER X

These Employers Went on a Strike Themselves

Conditions similar to those in Lynn and Haverhill afflicted the big turned-shoe industry in Brooklyn for many years, but unlike the manufacturers in those cities the New York employers went on a strike themselves. They struck against the leadership of the union and won.

When the United Shoe Workers ceased as a going labor organization, its large following in Brooklyn decided to go it alone rather than to affiliate with the "Boot and Shoe," or the Shoe Workers Protective, the organization then forming in Lynn. They incorporated themselves into "one big union" and called it the "American Shoe Workers Protective Union, Inc." A majority of its members were industrious and preferred to work steadily if left alone; but their leaders, subsequently, were weakened and undermined by others whose policies were those of Communism. A trade agreement was negotiated with the shoe manufacturers Board of Trade, and after a tempestuous experience with it the manufacturers summarily terminated their relations with the radical leadership and established "open shop." Their action was generally approved by the workers. In a few weeks, the shops were operating in a usual and normal way and to a normal and usual extent.

Dismayed "union" officials, alarmed by the "strike" against them, authorized their president to write a letter appealing to the manufacturers to give the "reformed" union one more chance to behave. A reply was made to this

appeal in a form of a letter written by Latson & Tamblyn, counsel for the manufacturers. While this letter is the expression of an interested party and contains some extraneous comments and opinions, it is a true statement of facts which concisely and graphically indicts Communism in industry. In part it is appended:

The principle of collective bargaining, both as to the employers acting unitedly through the Board of Trade and as to the employees acting through your Union, has been fully recognized and favored in the past. The agreement of November 16, 1925, between your Union of approximately seven thousand members and this Board of Trade, representing thirty-two Brooklyn factories, demonstrates that fact.

The basic covenant in that agreement was to the effect that there were to be no strikes or walkouts, and all grievances were to be adjusted in the manner provided in the agreement. The balance of the agreement was a description of the means of adjusting these grievances.

The manufacturers on their part agreed to employ only Union help when available, and to give your business agents and officers free access to their factories for the transaction of Union business with the employees.

During a period of five months following the execution of this agreement, there were sixty-one strikes or walkouts, involving over sixteen hundred employees and entailing a loss of approximately fifteen thousand days' work. Finally by April 12th, 1926, twenty of these factories, out of thirty-two, had become simultaneously disorganized by these strikes and walkouts, whereupon the Board of Trade terminated the agreement. The situation had become intolerable. You had consistently treated the agreement as the historic "scrap of paper."

You seem to forget that these manufacturers have an investment in this industry aggregating millions of dollars, and entered into commitments for the purchase of material and for the manufacture and sale of shoes based upon a collective bargaining

agreement by which their known costs and terms of labor were deemed to have been established for one year.

It was a notorious fact that you vested the executive functions of your Union in the hands of an official staff who were not in sympathy with the agreement and sought to scuttle it by every known device. You have heretofore stated that your Union has passed resolutions directing the men to return to work, but they refused to obey. You omit to state, however, the fact that is well known to the Board of Trade, namely, that when the resolutions directing the men to return to work were passed, your own officials told the men not to obey your orders.

You ought to know without being told that these manufacturers, victims of your own bad faith, will not again entrust their commercial responsibilities to such an organization as you have proved yourselves to be, much less permit themselves to be coerced by a threat.

For the next three years, with the exception of a few hundred cutters who retained membership in the Shoe Workers Protective Union, a veteran organization maintained by "turn workers," and a few shops holding trade relations with this union, all others in the industry were "open shops."

The Communist leaders, however, thrown out of office by the successful "strike" initiated by the Board of Trade and obliged to go to work for a living did not like it. Ever restless, craving again the feel of power, and "easy money" from the workers in forms of "assessments," they bided their time. They were influential in causing members of the Protective to strike, harass, or sabotage the few employers who held contractual relations with the union. These repeated violations caused the general officers of the Shoe Workers Protective Union in Boston to invoke the constitution and take away the charters of the locals.

Then, one morning in March, 1929, four men appeared

before the entrance of a shoe factory (not a member of the Shoe Board of Trade) in Brooklyn. Three of them were the nuclei of the shop; the fourth was an organizer directed by a Communist leader named Beidenkapp. A worker approached. He was told to wait—not to go in—that there was trouble on. Other workers appeared. Members of the nucleus and the organizer hurried from one to the other, telling each to stand back and wait a minute until the trouble was settled. The shoe workers were mystified, curious, and asked many questions, which were ignored or skillfully parried. As they gained in numbers, the newcomers were told by those who were there first, that they did not know what the matter was, but the quiet air of assurance of the nuclei and organizer gave off an atmosphere of power which was impressive. Therefore the puzzled workers waited to see what happened. When the number of workers reached fifteen to twenty, one of the nuclei said, "Come on, follow me." Some of the workers started, the others remained undecided.

"Go on!" the organizer exclaimed; "follow that man up to the meeting place. The rest of us will be along in a minute."

Thus the first group of workers were shunted off to a vacant store which had previously been rented for the purpose of assembly. As the group proceeded to the meeting they intercepted other workers and carried them along with them. Workers coming from the other direction were instructed to join the men at the store. Thus every worker of the two hundred and ten employed in the shop was held up and diverted in this simple way.

When the last worker had been so "kidnapped," the organizer went to the meeting place and without any preliminaries or explanation asked this question: "How many

lasters here want ten cents a pair increase? Hold up your right hand." The response was unanimous.

"All right," the organizer approved. "Now you lasters get together on this side of the room and sign these cards. How many fitters are there who want a twenty per cent increase?"

Every fitter raised his hand. "All right, you fitters sign the cards. Hurry up! We want to go to work and get the money for you." Still mystified, still uncertain what it all meant, suspecting that there was a catch in it somewhere, the workers at first held off, but when the lasters had examined the cards and found that it did not cost them anything to sign, that there was a promise of ten cents a pair in it for them, that it looked like all gain and nothing to lose—each of them signed. Then, having signed themselves, naturally they urged the others to do the same thing. Thus pacified, the whole shop's crew signed the cards, which was really a contract obligating them to membership in a Communistic union. Collecting the cards, the organizer stalked down to the shop.

By this time the employer and other executives had arrived. They were not left long in doubt as to where the workers were. The organizer displayed the cards. "Your help," he announced, "have joined our union. If you want them to work for you, sign this contract." The contract, among other things, contained the wage increases which the organizer had intimated at the meeting the workers would receive. The employer was in a serious predicament. There were three thousand pairs of shoes on the floor in process. It was a "turn" shop, and the process of making turned shoes requires prompt and steady handling. A few days' delay spelled a loss of thousands of dollars in material, and it also meant cancellation of orders if he failed to deliver the shoes on time. Styles change rapidly. The styling

of his shoes had been made to meet the style of the Easter season, and the season was nearing its close. Customers were depending on him for shoes to meet the demands of their trade. He signed the Communistic contract. Seizing this, the organizer returned to the meeting waving the signed contract before the gratified eyes of the amazed workers, and ordered them back to work, with the assurance that the increases per pair an hour dated from the present.

The success of this coup spread to the shoe workers in other shops, carried to the workers by members of the nuclei stationed therein. None of them were organized or held membership in a union except a substantial number of the cutters, who for many years had held membership in the Shoe Workers Protective Union. The Communist attack on other shops followed rapidly. The nuclei of a shop was used, together with as many as was needed to "take out a shop." The alarmed employers attempted to resist, as did many of the workers. Communist organizers resorted to whatever method appeared to them necessary to enforce their demands. With sheer force exerted by foreign-speaking workers, some of them in sympathy with the Communist movement, the resistance of other workers was overcome by intimidation emphasized by a blackjack or some other form of weapon. As a result of these methods, the Communist drive secured over a score of shops, most of them small ones as compared to the Board of Trade factories. Still, these small shops rolled up an aggregate of about 2500 workers and the drive had captured most of the members of the Protective Union, too.

At the beginning the workers were not asked to pay any fee for initiation, but they were required to sign certain cards which obligated them to obey the rules of the organization. A few days after reports had been circulated among the shoe workers that this organization was "signing up"

shops and compelling the employers to make increases in wages of five or ten cents a pair, several of the shop crews solicited the organizers to take them in to membership. With this demand an initiation fee was exacted. Those who had not paid anything to join the organization soon found that the obligation was something like a poker game: no expense to get in but a whole lot to get out. Dues of 35 cents a week were subsequently raised to 50 cents a week. Also, there were assessments of $5 a month payable in weekly installments. The workers were canvassed, too, by the collectors who were making special drives for funds to aid Communistic activities elsewhere. An examination of the cost to the workers who supported this movement showed that they were the losers. One group of shoe workers who kept a check on all these assessments ruefully announced that membership in the organization had cost them $9.33 each in three weeks.

The reason given by the Communist organization for repeated assessments was to raise money to help conduct strikes against several shops whose management had refused to sign the contract. The employers gave the workers opportunity to return to their former positions without discrimination, but the workers continued to obey the control of the Communist organization and their places were filled with other shoe workers. Few of the strikers received support from the Communist "union." Some of the pickets were paid temporarily $12 a week, but most of them did not receive anything and lost their jobs besides. Every one of the strikes conducted by the Communistic organization was lost. Some of the shops that "signed up" completed their runs, filled their orders, and went out of business. This action not only threw their employees out of work but made a further curtailment of employment opportunity. Besides these exorbitant drains on their pay envelopes

the workers lost money as a result of a slowing down of production in many of the shops.

The contract imposed on the manufacturers by the Communist organization was purely one-sided. It was from time to time interpreted by the representatives of the organization in a manner which encouraged the shop chairmen and a radical element to harass the employers. An examination of the contract, appended in part, is convincing evidence that its provisions removed from the employers the right to conduct their relations with employees in accordance with the essential fundamentals in employment relations:

The firm agrees to employ only members in good standing of the Independent Shoe Workers Union of Greater New York.

It is further agreed between the firm and the Union that all disputes and grievances shall be settled between representatives of the Union and representatives of the firm.

It is further agreed that there shall be no strike, stoppage of work, or lockout during the discussion of any dispute that may arise during the life of this agreement.

The firm agrees that the Union shall be entitled to have a chairman for each department to settle disputes that may arise between employees, to collect dues, and maintain discipline among the employees of such department, but no chairman shall be allowed to order or cause any stoppage or holding of work.

The firm agrees that no member of the Union in their employ shall be discharged without just cause, such cause to be satisfactory to representatives of the Independent Shoe Workers Union of Greater New York.

It is further agreed that the firm shall hire all employees through the office of the Union, and the Union agrees to supply competent help for all operations performed in the factory. In case of failure of the Union to supply such help within 48 hours the firm shall have the right to advertise or procure in any other ways the help needed, provided that such employees shall sign

Union applications before starting work. Wages of new employees shall be adjusted by the official of the Union.

It is agreed that all legal holidays in the State of New York, including the First of May, shall be strictly observed.

One employer was compelled to put up $500 in cash as a condition that he would keep the contract. The amount was to be returned to him at the end of six months. When the time expired on September 27 he notified the "Union" to return the money. He got a reply that a check for that amount was at the office of an attorney. The latter denied it but said he would "start an inquiry." Two days later the employer was notified to meet with "union" officials at the attorney's office at 3 o'clock. He waited an hour until the president of the "Union" appeared and explained that the check was withheld pending an investigation of certain alleged violations. The attorney advised him that the contract bound the "Union" to return the money forthwith. A few days later a check was received but was returned by the bank it was drawn on with the statement that it was "Not properly signed." When this line was written two months later the money exacted from the employer had not been returned to him.

All shoe workers in these shops were ordered to "down tools" at 4 o'clock on August 1 (International Red Day) and report at Union Square to join the Communists in a demonstration of "solidarity" and fealty to the "cause of Revolution."

In Article 14 of the agreement the Communists had imposed one "Red Day" (May 1), and its recognition by the employers was not so much an amazing lack of patriotism as it was helplessness. They had fallen into the hands of exultant fanatics.

The best explanation for making "Red Day" out of

May 1 was given by Will Rogers—whose contributions to the gayety of nations has made him a national asset—in the following words:

> Say, what's this May Day thing? We used to look on it as a beautiful Spring Day when we had a picnic and fastened ribbons to the top of a pole and danced around and sang and played. But now May Day with all our modern accomplishments is for the fellow that is dissatisfied. He puts in his only hard day's work of the year. He arises early so he can denounce longer. He prints an obituary notice on a banner of everybody that has tried to make him earn his living during the year and he just has one of the best times of his life. Hurrah for progress!

The employers made repeated complaints of violations of the provisions of this contract to the representatives of the Communistic organization and to the shop chairmen, but it appeared to them to be a wasted effort. Each day much time was consumed in conferences relative to grievances, picayune in themselves but very expensive in taking up time that should be open to the normal transaction of their business. To one employer who complained that it was impossible for him to market his product under the conditions imposed by the organization, the Communist representative retorted, "It is up to you to get out and sell your shoes for more money and pay our prices." The employer found it useless to convince the person offering this form of solution that he was in a competitive market which he had to meet by selling his shoes in line with the prices offered by competitors making a similar product.

The employers found that it was difficult to get additional help as required. A demand on the organization to provide help was usually unsatisfactory. When the season opened one employer, who had 4,000 pairs of shoes on order, called on the organization for an additional cutter

in accordance with clause ten of the contract. He was told that he had cutters enough to do the work. It took this employer over three weeks to get two additional cutters, and by that time he was forced to cancel several orders because the opposition had made it impossible for him to make deliveries on time.

Another employer needed more help in the fitting room, but his request was refused unless he would agree to guarantee the old crew full time until the expiration of the contract. The employer was not able to produce any more shoes in the height of the season than in the slack period.

The management in several shops, not knowing of the impending raid on the industry, had, at the beginning of the year, instructed their salesmen to go out and get orders. After the Communistic contract had been imposed on them they were unable to fill their orders and many of them lost customers who had been depending on receiving the product ordered earlier in the season. Veteran salesmen quit, too, and made connections with the manufacturers whose deliveries were not impeded by shop conditions beyond their control. Losing their old salesmen and old customers, training new salesmen and hunting for new accounts were embarrassments to the manufacturers which spelled more expense in the conduct of business. All these changes consumed time and was one of the reasons why some of the factories were closed for several weeks while the manufacturers were endeavoring to get a new start. This was a direct loss to their employees. Their opportunities for weekly earnings were taken from them as a result of the conditions imposed on their employers by a Communist movement to which they had subscribed. They had joined the movement believing that it would be the means of bettering their conditions and increasing their wages, but they found that it cut their jobs down to part time, or no

time at all, and, when they did work, they were assessed money to maintain an organization which promoted conditions that deprived them of employment.

Any member who failed or refused to pay dues or assessments to the Communistic movement was reported to his employer. If the latter failed to pay the amount claimed or "fire" the delinquent, the collector would order the workers to suspend work until the employer complied with his demands.

The writer might go on at great length detailing violations of the so-called contract. In six months of operation there were submitted in writing 91 pages of reports containing 186 complaints of violations committed by the Communist leadership. Examinations made from time to time verified the truth of allegations contained in the complaints. Manifestly, no employer could conduct a normal business under these circumstances but none knew how to gain relief other than to go out of business. They were parties, however, to the contract which, among other things, bound them individually to employ only persons holding membership in and paying dues to the Communist movement represented by an alleged union managed by an avowed enemy of the government. These contracts were the only ones in evidence in the United States and were exhibited by elated promoters as proof of the strength of the Communist movement and its potential expansion in the shoe industry and other industries.

Because it was signed by representatives of the parties and appeared to be a valid agreement, several of the legal fraternity of New York were convinced that it was binding. To them a "contract was a contract." They were, however, impressed by a thought that agents of an alien movement intentionally directed against the government itself were without legal support in promoting it. But it was "new

law"—they were not quite up to it. They were lacking a confidence in legal ability to convince the judiciary.

On August 23, 1929, the writer officially notified the manufacturers that it was desirable to withdraw forthwith from a contractual relation that could be offered as proof in a court of law that they were denying a right to employment to all except paying members of the Communist movement, therefore giving aid and comfort to an "enemy alien organization." Naturally, the manufacturers were gratified to find a way to relieve themselves of an obnoxious connection, and they concertedly acted in kicking the Communist influences from their several shops.

The secretary of the International Legal Defense made a protest in the Communist press, and some one connected with the Civil Liberties Union called it "high handed," but the raid on industry conducted by a Communist for an alien movement in support of an illegal purpose was stopped and its organization rendered impotent.

There is no middle ground for the treatment of the Communist movement in the United States. By its own thesis it frankly advocates a "period of illegality." The duration of such "periods" is unlimited, the scope of such "illegality" is unconfined. The movement itself, guided as it is by enemies of our form of government, is in effect, illegal. Its relation to the legitimate labor movement is not real; its labor leaders are industrial "bootleggers." Therefore, any contract purporting to bind an employer in his relations with an alleged union conducted by Communists and affiliated with the Communist movement in fact does not bind. An endeavor to enforce it by process of law would have the same element of justification as a suit to recover the price of a case of contraband liquor.

CHAPTER XI

Enforcement of Discipline by a Union for a Union

The "stamp contract" of the Boot and Shoe Workers Union and a strike of Brockton shoemakers against the Massachusetts State Board of Arbitration, which was a rebellion against the union itself, are outstanding features which illuminate the importance of maintaining discipline in unionism. Enforcement of that contract provides a performance that must be adopted by any organization desirous of maintaining peaceful contractual relations.

It discloses the unusual spectacle of manufacturer and union standing together, defending a closed-shop agreement against a vigorous attack on it by several thousand men and women. In the struggle six deaths occurred by suicide and violence; the police power of the district was invoked to quell rioting; vast sums representing wages, production, and treasury funds were poured into its maw that a consistent faith in the sanctity of a trade agreement might live inviolate.

Yet it is a simple story. In their colorful detail abides a vivid and accurate appraisal of the value of discipline. In all aspects except one it transcends the significance of the contest between the New York pressmen and their international officers. The Boot and Shoe Workers Union is a veteran in the shoe industry. Included in its large membership are nearly 30,000 shoe workers in the Brockton district. All are subject to the provisions of the "stamp contract" which is also binding on their employers.

This contract is one of the oldest and most notable in-

struments in the active life of organized labor. It has been the connecting link between the Union and more than 300 manufacturers substantially without change since 1898. It ranks with that of the Typographical Union for clarity of expression, fundamental soundness, and lasting integrity. It is not a lengthy document, but for this discourse it is not especially pertinent, except the fourth Article which follows:

Fourth—It is agreed that the Union will not cause or sanction any strike, and that the Employer will not lock out his employees while this agreement is in force. All questions of wages or conditions of labor which cannot be mutually agreed upon shall be submitted to the State Board of Arbitration. The decision of this Board shall be final and binding on the Employer, the Union, and the Employees.

The Employer agrees that where a change of system or method is made, he will notify the Local Union affected, and endeavor mutually to agree on a wage to be paid. Failing to agree, the matter shall be arbitrated, and the decision rendered shall date from the time of change in system or method.

In the event of the Employer or Local Union, or a duly authorized agent, giving written notice to the General President of their desire to refer to arbitration any matter in dispute, relative to wages, conditions of employment, interpretation of contract, or any other difference of opinion, he shall insist that the application shall be signed within seven days from "his receipt" of said notice. Failure of either party to comply with this clause shall constitute a direct violation of this contract.

When a stamp contract is accepted by an employer the employees of the factory automatically become members of the union, and organize themselves into the several units of the craft to which they belong.

The Union provides sick disability and death benefits for its members under rules almost exactly like those in force in other sick benefit societies. The plan was established in

September, 1900. Since that date up to December, 1929, the organization has paid to its members the enormous sum of $2,782,903.35.

The Boot and Shoe Workers Union, known familiarly as the "Boot and Shoe," has the reputation of being opposed to strikes. Being committed to arbitration of any controversy not adjusted by agreement, it can neither legally nor consistently pursue any other course; but it does not weakly submit to a violation of its contract. It is as rigid in enforcement against an employer who violates its terms as it is in its insistence that its members keep it in letter and spirit. When open warfare has been declared against an employer whose violations of the contract have been clearly established, it has always emerged a winner.

In twenty-seven years it paid out in strike assistance $498,437.76. Nearly half of this sum was expended in supporting its members against an attempt on the part of certain manufacturers in Cincinnati to cut wages 25 per cent. When the battle was over, a decrease of 5 per cent was agreed on, which was less than half what the Brockton manufacturers got at about the same time through arbitration awards made by the State Board.

One firm, leaving Lynn in the latter part of 1923, settled in South Boston, got a stamp contract, and manned its plant with Boot and Shoe Workers. All went well until the manufacturer announced a general cut in wages, ignoring a provision of the contract that wages, among other things, are subject to arbitration. Whether it was his nature or a taste acquired in Lynn, he persisted in the violation and the general officers of the union withdrew the stamp. This left the workers "free to act." They did. They went out and their union supported them until other positions were procured. The company went out of business.

Regardless of the greatly increased cost in rentals,

traveling expenses, and other expenditures necessary in the conduct of such a voluntary organization, the union's per capita tax of 50 cents per week remains unchanged. On the basis of this small sum the organization has built for its members one of the strongest unions in organized labor. No higher commendation can be paid to its executive sagacity than to point to the fact that no assessment has ever been levied on the membership.

In January, 1923, the Dressers and Packers Union in the Brockton district sought an increase in wages. Negotiations did not result in an agreement, and the controversy was submitted to arbitration in accordance with the stamp contract. A joint application containing a concise statement of the controversy, the wage asked, offered, paid, and the questions to be determined, was submitted to the State Board. Representatives of the parties appeared before the board on February 8 and presented evidence to support their respective contentions. Each side submitted the names of three persons qualified to act as expert assistants. From the names so submitted the board selected two, one representing each side, notified them of their appointment, and requested their appearance on a certain date. After accepting appointment the two experts took oath that they would faithfully and impartially perform the duties assigned to them. They examined the papers in the case and read the stenographic report of the hearing. They investigated conditions and wages in other establishments making a similar grade of shoes. After completing their examination the experts submitted their report to the board.

The law provides that no decision shall be made by the board until it has first presented its conclusion or probable decision to the expert assistants named in the case. In cases where the experts are in agreement it is usual for the board to present such agreement as the probable decision of

the board. If the experts do not agree the board accepts their report for further consideration, and calls them in at a later date to hear the board's conclusions. This gives the experts an opportunity further to offer advice if in their opinion the board has made an error in its conclusions. Following this conference, the board makes its decision and issues copies thereof to the parties. The decision is alike binding on both. The action is voluntarily entered into and by such agreement is compulsory arbitration. The only escape from its terms is provided by statute. Either party dissatisfied by the award may file with the board and the other party written notice that he will not be bound by the decision after sixty days from the time the award becomes effective. This does not mean that the aggrieved party refuses to join in further arbitration, but that he may reopen the case in sixty days by direct negotiation, or by the submission of new evidence to the board, or both. With this exception an award of the Massachusetts board is binding on the parties for six months unless otherwise stipulated.

The business agent of the Dressers and Packers Union was generally given the credit for starting the strike in Brockton—a strike that attracted a following from several other crafts affiliated with the Boot and Shoe Workers Union. The principal issue, one which aroused the workers to action, was opposition to the membership of the State Board. Many contended that it was a strike against arbitration. Leaders of the strike declared themselves in favor of arbitration, but the State Board was denounced as incompetent, unfair, unfit to judge evidence in which workers were concerned, and "a cemetery for dead senators." There was more to it, however, than a strike against the board. There were a number of reasons for the outbreak. The functions of the State Board, and its members, perhaps, really contributed to bring the controversy to a head.

Among other things, a business agent wanted to attend a national convention of the American Federation of Labor. A majority of the shoe workers conferred the honor on another. The agent blamed the general office of the union in Boston, declaring certain of its emissaries quietly campaigned for the winning delegate. Another thing that added to his ire was an accusation that he had been responsible for certain production strikes in some of the factories. In one big shop, on two or three occasions, members of his local ceased operations during working hours because of some grievance. The head of the company sent for the business agent on such occasions and that official straightened things out in a way that would reflect credit upon himself.

There was a warm friendship between the company's representative and the agent, and, as usual, where a friendly feeling exists between such parties to a trade agreement, the company's official was disposed to be generous and do all he could to improve the standing of the agent with members of the local. These quiet little production strikes, however, became matters of concern to both the Manufacturers Association and the Boot and Shoe Workers Union. The next time such a strike occurred the manufacturer told the business agent that he "wasn't going to fool any longer," that the business agent must instruct the workers to resume operations, and if they were dissatisfied with the company's offer of the settlement of a grievance, the dispute should go to arbitration in accordance with the terms of the stamp agreement. The agent went out and talked to the workers. He returned soon and sorrowfully informed the employer that he could not do anything with them, but to avoid continued trouble he suggested a plan consistent with previous suggestions in similar circumstances and one likely to enhance his reputation as a business agent of parts. It so

happened that when he returned the second time he found representatives of the Manufacturers Association and the general office of the union, and informal negotiations came to an abrupt close. After a brief discussion the agent went back to the workers and told them to resume operations at once. "This is no joke—I mean it this time," he was heard to tell them.

It is said that he did not expect the issues would be fought so stubbornly by the manufacturers. There is some reason to believe he cherished the thought that a show of force would subdue the opposition—first, the manufacturers would be frightened into a settlement; second, that the general office of the "Boot and Shoe," sensing the possibility of a situation fraught with danger to it, would be glad to make terms. Then, fortified by concessions from manufacturer and International, the agent would put down the rebellion, spray the atmosphere with benevolence, and bask in the adulation bestowed by workers and commercial interests in the community.

An ambitious dream, indeed, but it did not come true. In the excitement of the strike, the stirring turmoil of rebellion, the travail of giving birth to a new organization, new faces appeared, other voices spoke in counsel and authority; and the agent gradually faded from the picture. Doubtless, there were times when he was moved by a desire to inflict punishment on those who had opposed him politically, but applause for his acts of prowess resounding through labor temples enthused and inspired him to higher acts of endeavor. In his retirement no one can take from him the memory of a moment of joy when he was carried aloft on the shoulders of his followers and madly kissed by hundreds of women unionists as an expression of adulation in a stirring moment of intoxicating triumph.

The opening blow was struck on the night of May 14,

1923, when the Dressers and Packers Union, representing employees in all Brockton shoe factories, large and small, voted a strike, effective the following day. Following announcement of the vote the hall resounded with cheers. The revolt was on, and the revolters celebrated. The business agent was lifted bodily to the stage and was carried on the shoulders of the men, and later was nearly smothered with hugs and kisses by the women. The crowd burst from the hall, formed a parade on Main Street, and, headed by the business agent, the president, and the union's executive board, marched through the principal streets, making a demonstration of intense interest in a community that had been practically strikeless for twenty-five years.

"Our action this evening," declared the business agent, "does not infer that we are opposed to arbitration. We simply feel that the present State Board is incapable and not qualified to weigh evidence presented in labor controversies."

The State Board met with sweeping denunciation during the meeting, and its recent award granting slight increases on eleven operations was rejected and authority was conferred on the officers of the union to demand a 20 per cent increase in wages from the manufacturers. "Restoration of the 10 per cent cut of March, 1922, and an additional 10 per cent raise on top of that," became the battle cry of the local.

The following morning the dressing and packing departments in most of the factories were swept clean of workers. Here and there an aged worker or pensioner remained on the job. Help of all sorts was rushed from other parts of the factories to the depleted departments. Clerks and cleaners mingled with members of the supervisory force in an endeavor to get the work through the department. Some factories were successful, while others were obliged to pre-

pare for a shutdown. The general secretary-treasurer of the Boot and Shoe Workers Union issued the following statement:

The general officers of the Boot and Shoe Workers Union deeply regret that one of our local unions in Brockton decided to create a strike situation in violation of our constitution, as well as provisions of our union stamp and arbitration agreement, while negotiations for the restoration of the wage scale that prevailed prior to March 13, 1922, were in progress between the Brockton Shoe Manufacturers Association and Joint Council No. 1, assisted by the general officers.

This strike situation was created after a joint meeting between the Manufacturers Association, Joint Council, and general officers had been held, Tuesday, May 8, where the argument of our members had been submitted and another joint meeting was scheduled to be held this week to receive the reply of the Manufacturers Association.

It would appear that the Dressers and Packers Union gave little or no consideration to the interests of our members of other local unions or the effect that it might have on the future business of Brockton. Needless to say the general officers of the Boot and Shoe Workers Union will stand for the faithful carrying out of the terms of the contract to which our local unions in Brockton are parties.

The position taken by the dressers and packers was explained by Dennis E. McCarthy as follows:

I, as representative of the Dressers and Packers Union for over twenty years, have always lived up to any and all agreements made by me as representative of the Dressers and Packers, but realizing that this decision which has just been handed down, was unfair, unjust, and unwarranted, there was only one course left to pursue and I did what I believed the right thing as honored leader, and that was to strongly recommend to members not to accept the State Board decision.

The dressers and packers believe in arbitration, but not the kind in this case. Presentation of the case to the State Board was made and completed by February 8 and three months later we received their decision.

The charter of the Dressers and Packers Union was revoked by the Executive Board of the Boot and Shoe Workers Union. The business agent and other deposed officers of the union surrendered the offices and all union property, including bank deposits, to the representatives of the general office, who appointed a commission to conduct the affairs of the union and the transfer of members who remained loyal to a class known as membership-at-large. The prompt revocation of the charter of the Dressers and Packers aroused interest among other crafts, later becoming the seat of a controversy which divided several of them.

At a meeting of the Brockton Joint Shoe Council on May 16, with the general officers present, it was decided to offer reinstatement of the Dressers and Packers without individual penalty, provided they returned to work on or before the following Monday. Restoration of its charter and reinstatement of its officers were held over for further discussion.

The Joint Council, composed of the business agents of the several unions in Brockton, is recognized as the supreme local authority in general matters. To this body the business agent of the Packers made the following reply: "Absolutely under no consideration will I, and the union I represent, have anything more to do with the Boot and Shoe Workers Union." He outlined the stand of the Packers as originally a fight against the State Board of Arbitration, but one now directed against the general office of the Boot and Shoe Workers Union because of its action in revoking their char-

ter. The Joint Shoe Council, by a majority vote, adopted a motion expressing "opposition to members of any Brockton union or any other union filling in for men and women on strike." The stamp agreement binds them to furnish workers in the place of those who violated by going on strike, and this inconsistent action was later explained as an attempt to soothe and influence the Dressers and Packers to come back to the fold.

Meanwhile the excitement lived on rumors that other unions were calling special meetings for the purpose of taking strike action, that the "Boot and Shoe" would be driven from the district as it "had been from Lynn and Haverhill," that the rebelling locals would form an association of their own or affiliate with some independent body. The gravity of the situation was further emphasized by the closing down of the Douglas factory because the racks were full and awaiting operations to be resumed in the dressing and packing department. Suspension of work by the small group in this department vitally affected the employment of more than 3,000 others, and it was not difficult to believe the predictions that 15,000 workers would be loafing as a result of the strike of less than 1,000; and all this in a few days.

Then followed a show of strength that would test the ability of the strike leaders to obtain an added following from the other crafts against the endeavor of the general office and the Joint Council and Manufacturers to prevent further secessions. The first test took place on May 17. A substantial number of the edge makers, led by their business agent and a majority of their executive committee, adjourned a stormy meeting at midnight, after expressing themselves, unofficially, in favor of abolishing the State Board, and voting to strike and to consider joining forces in a union comprising dressers, packers, and edge makers. Like action was taken by the treers, who were smarting un-

der a decision recently handed down by the State Board, but they did not vote to secede from the Boot and Shoe Workers Union until Saturday, their charter having been revoked by the General Executive Board the day before. The action of the treers was by no means unanimous. The president of the local went with the strikers, and the business agent remained loyal to the stamp contract. Each had his following, but the agent held the fort while the president got his compensation in an atmosphere of excitement.

At meetings of the Lasters, Cutters, and Skivers Unions held on Saturday and Sunday strike action was taken against the State Board and the "Boot and Shoe," although a substantial number of the members of each of these locals neither participated in nor approved the action. The lasters were led by Joseph E. Lacouture, business agent, and the action was taken at a mass meeting not authorized by other union officials. The president, financial and recording secretary of the lasters remained loyal to the contract and retained possession of the business office of the local and conducted its business there, backed by a comfortable following of loyal workers. The cutters and skivers, divided in their allegiance, took similar action.

Members of the Stitchers Union, who attended an informal meeting in conjunction with the skivers and cutters, deferred action until the following Tuesday. With this nucleus of what appeared to be a movement of substantial proportions a joint council was organized by the strikers with Lacouture, McCarthy, and Clifford named as "a committee to meet any manufacturers desiring to settle." Overtures by this committee to meet the manufacturers were met by this statement: "The Brockton Shoe Manufacturers made a statement Monday that they would continue to stand by their contract with the Boot and Shoe Workers Union, the only union having the backing of the American

Federation of Labor. Under no conditions will we have any dealings with any independent union."

Undeterred by this rebuff, meetings of five of the shoe crafts brought additions to the ranks of the strikers from the stitchers, vampers, and heelers. The stitchers meeting was called without sanction of duly authorized officials and therefore illegal. Less than 700 stitchers out of a membership of more than 3,000 joined the secessionists. The vampers and heelers, while their meetings were regular, did not officially join in the strike, but a number of their members voted to strike against the State Board and relinquish membership in the "Boot and Shoe." The finishers and sole leather workers adjourned their official meetings without considering a question to strike.

The Sole Fasteners and Rough Rounders Union was the last of thirteen locals to consider the situation. The meeting was orderly until the question of continuing affiliation with the Boot and Shoe Workers Union was projected into its deliberations. After some show of insurgency a motion to adjourn was carried. The president, business agent, and other officers of the union left the hall and took the charter with them. A group of insurgents remained, supplemented by others who desired to see what happened. A temporary chairman and secretary were chosen and representatives of the striking edge makers and McCarthy, now president of the new Independent Union of Dressers and Packers, addressed the meeting. After much oratory the group of insurgents, representing a small part of the membership of the union, voted to strike and secede. Another unsanctioned meeting was held by the finishers, who took similar action.

A show of numerical strength of the strikers was made in the form of a street parade in which seceding members of eleven local unions took part. Claims were made that there were 5,000 in line, but equally good authorities said

there were 2,332 by actual count. It was an impressive demonstration to the extent, at least, that those participating made public admission of their incompetency to keep an agreement or faithful allegiance to an obligation of honor given and accepted in good faith. An open meeting followed the parade at which announcement was made by the Brockton District Shoe Workers Union that "we want peace and prosperity for Brockton. We want an organization of our own, controlled by local shoe workers who are interested in their own welfare."

This was followed by a lengthy statement, issued on May 29, amplifying this form of appeal to the manufacturers by urging the latter to recognize the right of the strikers to leave the parent organization and form one of their own. The manufacturers were assured that "they will have the same crews, the same local union, and the same type of agents to transact business with and they know they have nothing to fear. . . . We solemnly pledge ourselves to fulfill all the terms of any and all agreements voluntarily subscribed to by ourselves."

This proffer of good intentions was met by a statement by the late Governor Douglas, himself a big manufacturer, who said: "By the present secession of some of the members of the Boot and Shoe Workers Union they would change their contract with the manufacturer into a scrap of paper. In the same breath that they flout their solemn obligations they also suggest a new contract which is more to their liking, and ask us to believe that it will be kept."

There was a certain appeal in their advocacy of a local board of arbitration which appeared to meet with a considerable public support. Unquestionably, the State Board was in bad repute. A year before it had awarded a general 10 per cent cut in wages, and while the Joint Board and the manufacturers were negotiating a restoration of the decrease

the State Board had come through with its award in the case of the Dressers and Packers, which nowhere nearly approached the request for a general increase of 10 per cent. The reduction of 10 per cent in March, 1922, had been a bitter dose, but it was swallowed. Therefore, on May 8, 1923, when the Joint Board asked that the old scale be restored, they based their claim, among other things, on the injustice of the 1922 decision. The manufacturers promised to consider the matter and a conference was arranged to take place on May 19. In the meantime, the decision came down from the State Board on the petition which had been presented by the Dressers and Packers on February 8, giving the members of that union a slight increase. While the award was made on an unrelated point, and the amount awarded was not what the union considered enough, it was disconcerting to the Joint Board, the members of all crafts, as well as the general office. It required no high psychological test for the lay mind to reason out that if the State Board considered as fair the award made in the case of the dressers and packers, what was the use in presenting requests for a general 10 per cent increase? And, they further reasoned, why should the manufacturers in negotiations with the Joint Board concede 10 per cent or a substantial part of it, when all they had to do was refer the question to arbitration—that question, of course, under terms of the contract, to be determined by the State Board.

Labor leaders of more or less renown from Haverhill and Lynn sought to encourage the strike leaders to stick to the principle of local arbitration. Manufacturers countered by printing a record, in deadly parallel columns, of arbitration under the State Board, and a near-by city under local boards, from 1913 to 1922. It showed only one strike in ten years in Brockton and 108 strikes, plus a large number of walkouts, in the other shoe districts.

The personnel of the State Board was one of the interesting issues. The workers openly expressed bitter opposition to the employees representative on the board. The law provides that one member of this board shall be an employer, or recommended by an association of employers. Another shall be a member of a union, and not an employer, and the third shall be appointed by the governor, on request of the two so selected, or in the absence of such request he may appoint anybody. The labor members on the State Board for more than thirty years (there had been only two) had been shoe workers. A departure from this precedent was made in 1918 and within six months a strike of the cutters took place in Brockton. The personnel of the board was entirely changed in December, 1919.

The labor member appointed at this time had been a textile worker, and for many years was secretary of the Spinners Union whose members were engaged in that industry. He had represented his district for many terms in the Legislature, both in the House and in the Senate. His reputation for integrity as a union official, as a legislator, as a citizen, was of the highest. He had the reputation of being able to obtain more concessions for those he represented from textile manufacturers than any other single labor official, and this was a high tribute because textile manufacturers at one time had a reputation sometimes described as "hard boiled." For many years his eyesight had been defective. In the progress of a case before the board he picked up one of the exhibits, a canvas oxford, and asked one of the other members what "kind of leather" it was. The question was heard by the labor representative in charge of presenting the case of employees, and he thought it was a great joke and related it as such when he got home. The joke took a serious turn, however, because, whenever an adverse decision came down, it inspired such remarks as "What can

we expect when our representative on the board does not know leather from canvas, and the two other members can put it all over him?"

But the issue of the State Board as an issue had apparently disappeared by the first of June, and the strike had become a rebellion against the Boot and Shoe Workers Union.

Evidence that the strikers were fighting a losing cause began to show after June 4. Proof was offered reflecting on the personal integrity of certain leaders; statements were made which showed a lack of harmony among them—all significant signs of a break. The shoe shipments on June 9 indicated by their increase the trend of the strike on shoe production. The strikers performing picket duty became unruly in their efforts to persuade, and began to adopt methods approaching physical coercion, which led to the first arrest, on Monday beginning the fourth week of the strike. From then until the strike was called off, on July 31, by what remained of the secessionists, there were 173 arrests and various outbreaks of disorder, a loss of considerably more than a million dollars in wages, a slump in the output of shoes, and a depression in business throughout the city. Four suicides and two deaths by violence, all traceable to the strike, was a grim toll included in the most sensational and memorable industrial conflict in Brockton's history; but it was a price inexorably exacted in the successful defense of the integrity of a trade agreement.

There was an immediate scramble on the part of the workers to restore their standing with the Boot and Shoe Workers Union so that they could return to work. A fine of $10 was imposed, and a reinstatement fee of 25 cents a week covering the time they had left the union and not paid dues. In addition to this sum, which was the regular weekly due of any member, the reinstated member was permitted

to pay the fine by installments. The leaders, however, were called before the General Executive Board and fined $100 for acts of treason. Two of the leaders did not seek reinstatement and engaged in occupations other than the shoe industry. Another who was prominent in leadership had, a few months before, engaged in a similar disturbance in Montreal, subsequently signing a pledge that he would never do it again. His behavior in Brockton was a clear violation of the pledge, and he disappeared, doubtless with knowledge that it would be useless for him to attempt to restore his standing with the union.

While the records show that the union rigidly keeps the provisions of its constitution and imposes fines in accordance with its rules in the maintenance of discipline, it is significant that most of those who have led movements attacking the organization have sought reinstatement, abided by the conditions imposed, and are now in good standing. Obviously, the organization has faith in its soundness and strength. It is unafraid to take back those who have vigorously fought it.

The strike was not an overnight flare-up. It was the culmination of a variety of grievances merging and causing an explosion so startling in suddenness, sound, and portent that it had the appearance of complete disaster to the industrial peace in the Brockton shoe district. The time was ripe for action and for the exercise of group strength, for an attempt to erect a new form of government in industrial relations by destroying the old.

For years the workers had heard reports of successful strikes elsewhere, and it led many to regard arbitration as a handicap if not inimical to their welfare. While recognizing its support during the many years they had relied upon it, there were many who at times expressed themselves as being in favor of a method of enforcing demands that

would give them more of a thrill, and, perhaps, profit. In other words, they craved action. A strike of cutters in 1918 had left sores which were not entirely healed and those still smarting from the humiliation of defeat were willing to encourage any acts in the nature of a protest. Independent organizations in other districts, envious of the power, influence, and prosperity of the Boot and Shoe Workers Union, had maintained paid agents and volunteer sympathizers in the district spreading poisonous propaganda. These agencies had attracted a following. There were those, too, whose nature it is to find fault with established forms of government anywhere.

To these may be added a large number of workers with real or fancied grievances inflicted or conceived individually in shops where they had worked; so that those holding individual spites naturally sympathized with a movement which promised punishment to a disliked foreman or employer. The general officers and organizers of a union as a result of long continuance in office are bound to incur opposition, if not the enmity of individual and small groups, most of whom are willing, not to say delighted, to assist openly or secretly a movement likely to disturb and oust those in power. Thus, these little streams of explosive fluids found an immediate convergence when a spark appeared of sufficient intensity to touch it off.

The spark happened to be the State Board. A year before it had awarded a general 10 per cent decrease in wages in the district. It is preposterous for any one to assume that the decision was based on anything other than a most searching investigation and open-minded conclusions; but a vast majority of the employees affected by the decision believed it was unfair, unjust, unwarranted, and their opinion carried just as much weight and contained just as much dynamite as though it was true; as though it had issued

from unscrupulous or careless minds. Therefore, when the decision in the case of dressers and packers came into Brockton three months after it had been presented, making some slight increases in some operations, coming as it did five days after the Joint Shoe Board had opened a conference with the Manufacturers at which a request for a general increase of 10 per cent had been presented, it was not unnatural for the members of that union, largely women, to rise as a body and smite the offending source of their disappointment. Again it was a natural display of human impulse when the edge makers and lasters, heelers, stitchers, and other crafts ventured a protest. All workers in the district were interested. They had just presented a request that the cut of 10 per cent made by the State Board a year before be restored. Then, in a most untimely, dismaying way came the award of the board in an unrelated issue in the case of the dressers and packers, but relevant and material enough to justify the workers in believing that the manufacturers would refuse the request of 10 per cent, thus throwing the question to the State Board, whose attitude concerning it, in the opinion of the workers, was reflected in the offending decision.

What hope could they gain from that source? None, the packers replied. None, the edge makers echoed. And the negative of hopelessness ignited the spark that set off the explosion.

CHAPTER XII

Why Textile Strikes Are Colorful

The main cause that has made strikes in the textile industry so colorful has been its low level of wages. This level has been regulated by means of horizontal decreases or increases which, when made, were news features good for a scare head in any newspaper. Such announcements cause "TALK OF STRIKE" and any threatened strike with its possibilities of spreading to the textile industry generally was good for "follow-up" news stories. This is a form of prominence which most of the other industries have avoided, for changes in wages are usually made within a plant for work as it is performed there and not concertedly made by manufacturers in the same industry.

In the early days New England textile manufacturers were called "overlords," whatever that may mean. They located their mills on rivers or small streams to utilize water power and there villages sprung up. The owners of the mills became dominating figures to whom were referred all questions not only of mill management, but municipal conduct and social relations as well. Management was handed down from one generation to another. When fabrics could be manufactured and sold at a profit all was well; when the market was inactive a notice was posted announcing a cut in wages. Operatives were given two chances: accept the cut or loaf.

Textile manufacturers flocked by themselves. They had little in common with manufacturers in other industries. Decade after decade passed with no manifest change. Yet

beneath the surface a condition was fermenting that eventually exuded from the bunghole most of the impurities accumulated during the century. Here and there a man had come up from the ranks to become a power in the industry. They had visions unthought-of by many manufacturers described as "textile barons." Through sheer persistency and confidence in an ability to create and build, they did just that. As these "interlopers" multiplied they gravitated, naturally, to the progressive descendants of the older order of things. Eventually this formed a combination of invincible strength in an endeavor to uplift the industry from the lowest in the scale of employment.

But they met many discouraging obstacles. There had been a time when textile manufacturers looked down on associations of other manufacturers. When they awoke they found that other manufacturers looked down upon them and would not admit them to their associations. The writer has heard the applications of textile manufacturers for membership discussed and rejected by an almost unanimous vote. The main reason given was that the wage scale in the textile industry was so far below the going wages in other industries that, if they were taken in, the action might be suspected as one likely to reduce wages. In other words, they feared that their own employees would charge them as trying to adopt the wage standards in the textile industry.

Newer generations of textile manufacturers were humiliated by the conditions that they, themselves, could not change. They were victims of a system hoary with age. A cotton manufacturer bought cotton, raw material, and, from it, manufactured cloth, but the cloth itself was raw material. He, or his selling house, sold it to a converter as raw material. They haggled in prices in which fractions of a cent constituted the difference between a manufacturing profit and loss. A converter did what the name signifies,

changed the gray cloth into a finished product, which was sold to jobbers, and from the jobbers to the wholesalers and from the wholesalers to retailers.

A manufacturer once showed me a yard of fine fabric for which he had just paid 79 cents.

"I manufactured that cloth," he said, "and sold it for 7⅜ cents a yard."

"Did you make a profit?" I asked.

"Yes," he replied, "but I made it because we (meaning the textile industry) have the lowest damn wage scale in the world, and how can I change it? Suppose I raised wages 50 per cent as they ought to be raised, where would I land? The directors could not very well fire me because I own a majority of the stock in this mill, but we would go out of business pretty quick. Until something general takes place which will jump the wage scale throughout the industry I can not do a thing, nor can any manufacturer do anything. If a converter can not buy from me as he can from some other manufacturer we lose the business. It does not require any statistical shark to figure it out."

And then the Great War conferred a blessing upon the industry. Orders came from all sides and no one haggled over fractions of a cent. The long arm of demand reached forth from cartridge factories, machine shops, and shipyards. Textile operatives began to turn in the direction of higher wages. Textile manufacturers, too, reached forth for skilled operatives employed in similar mills. The "general change" had arrived. Wage levels in the textile industry went up by leaps and bounds until it exceeded the 50 per cent which sounded so radical when uttered by the manufacturer quoted in a previous paragraph. The change in the industry was marked. The manufacturer shed his air of hauteur adopted by reason of his involuntary exclusion from the resorts of other manufacturers. At last he

found "Welcome" on the door-mat leading to the council chambers of associated manufacturers. His days as an outcast were seemingly over.

The change was even more marked among textile operatives. The father of a family showed it in his clothes, walk, air of confidence. As pressure for production decreased, and need of employment diminished, mothers disappeared from spinning-rooms and weavesheds. In textile centers the number of high school pupils vastly increased. Young men whose ambitions had given them a prejudice against the cotton mill resumed their places in the mill workers families. Girls, who had shed tears at the thought of working in a mill, dried their eyes, went to work, and took their places among the better-dressed women in the community.

No other industry made a greater contribution to the welfare of the country than the textile industry did from 1917 to 1922 or has taken as much out of it since then. In 1920 a cotton-mill job ranked with jobs in other industries. Gladys May said it had "class," and she, after all is said and claimed, is best qualified to fix the rank of her own job in the social scale of industry.

A young woman with a suitcase alighted at a station a few miles from Boston shortly after noon and joined another young woman on the platform. They embraced, fell apart, and took up the business of the visitor with the directness of the modern woman.

"I can get a spinning job for you right over there," the home girl asserted, pointing across the tracks to a mill noted for its cotton fabrics.

"Oh, I won't work in a mill like that!" the other girl objected. "Nobody that is anybody works in a cotton mill."

"Why, you poor boob!" the other rejoined. "Where have you been living? Ella and Bess and Gladys May all work there and I would myself if I wasn't tied in to a good

job where I am. Listen! They've been there less than a year and you can't get them to change. Bess learned weaving in no time, is running a set of looms now, and some weeks she makes more money than I get, and you know I've been four years in my job. Come on over and we'll meet her and the rest. They'll be coming back from dinner pretty soon."

She picked up the suitcase and the pair started up the platform. I trailed along for this was good. When modern American girls, modishly attired, voluntarily turned to a cotton-cloth mill as a superior place of employment, I felt sure that some great change in the industry had taken place and that these girls and their friends, in their unstudied enthusiasm, would show me the reason with unerring accuracy.

The girls passed to the left on the main street, walked a few yards, and paused by the mill gate. A long granolithic walk led up to the entrance. On either side a well-sodded lawn peeped through patches of snow. A large electric sign shouted proudly from the rooftop that this was the mill where a certain trade-marked fabric had been manufactured for over one hundred years. Operatives were passing in the gate. Many were foreign-speaking and all were well-dressed. A majority of the younger women wore fur coats, or furs of some sort. Young men sauntered along and passed down the walk with the air of conquerors. There was lacking the sort of furtiveness that one shows when pride in one's place of employment is at low ebb. They had air. One felt it. Gone was the drab-looking woman with the repressed, toil-marked face and a faded shawl tightly drawn over her head; gone, too, was the shoddy-clad girl with the sullen look in her eyes and the forlorn-looking youth in the "hand me downs" and cheap shoes.

Three girls came across the bridge from the other side of the city. Altogether they "fell on the neck" of the job

hunter with little squeals of delight. They hailed her as "Fannie," and to us, lacking a formal introduction, "Fannie" it shall be. Gladys May appeared to be the directing voice of the group.

"I've got it all fixed with the boss spinner for tomorrow," she said. "You can go on learning with me and I'll have you on a set of your own in a week."

Fannie hesitated. Her aspirations were for higher things. The position of a "mill hand" was still a lowly one in her thoughts. And the habit of thinking a thing is a hard one to change. It can be done—in a minute sometimes; and Fannie was changing her long-established viewpoint with little gasps of uncertainty, like the daze that hovers in the mind of a partly conscious person just after being hauled from the sea. She looked up the river where loomed the brick shoulder of a big watch factory.

"I wrote that I'd like to get in to the watch factory or the rubber shop," she demurred.

"Fannie, listen! They're all right, but this place is fine." (Gladys May speaking.) "Ella, Bess, and I have tried them all, but we like this the best. Why, last summer during that hot spell we wanted to stay in the mill all the time. It's just the same all the time (meaning the temperature) and everything is clean; you can wear your street clothes, the pay is good, and you earn it sitting down most of the time while the frames are going."

"And," chimed in Bess, "I've learned to weave and am running a set of looms that earn me more money than I've ever got before. Easy, too. All I have to do is to tie ends when the yarn breaks. They take off the cloth, put on the warp, and fill batteries—"

Bess paused. Fannie was perking up. This was a rapid fire talk, convincing.

"There's class, too, in working here," Gladys May added

—and she looked it, spoke it in that air of assurance that women show when they are confident of their position. "Come on in now and we'll introduce you to the boss. Let 'Hen' take your bag up to her store and you call for it later."

So the four girls joined the stream of operatives pouring into the mill, turning at the steps to wave at "Hen" who, with Fannie's suitcase, still remained peering through the massive wire fence at her companions resuming their job of "class."

Class. Dignity. That is it. Those girls had it right. They located in a word, an expressive sentence, the position the textile mill occupied after its century or more of lowly estate. Time was, and not far back at that, when a mill operative was a thing apart from other toilers, one of the "persons" in the social order, poorly paid, wretchedly housed, the "brother to the ox."

It was in 1912 that the first notable Lawrence strike took place, and a gasp of dismay spread over the country when the news went out that authorities were clubbing nine-dollar-a-week strikers with wheel spokes and washing the blood off with water darting from a fire hose. Aside from the spectacular aspects of this strike, its wage conditions were typical of the textile industry wherever located. It was a heritage from the "kitchen loom." In its infancy the industry depended largely upon the housewife for cloth. She spun and wove the carded yarn furnished by the small manufacturer and regarded the few pennies he paid as so much "velvet," a God-sent contribution to the family welfare. You see, in those days, a woman's work was lightly regarded or, at least, taken as matter of course. While bringing babies into the world, caring for the wants of the family, spinning and weaving a supply of cloth to cover them all, the canning and drying of foods and herbs, gardening, sewing, washing, cooking, and other little chores, en-

gaged a woman's attention rather closely. If she was industrious and utilized her spare time by turning out a few yards of cloth for a near-by mill, she earned the reputation of being a "good manager" in addition to a small sum of money that assumed the dignity of an honorarium!

Villages grew to cities, textile establishments multiplied by demand, and the hand looms went out of business, but they conferred a wage-list upon the industry that braved the intermittent storms of protests until the World War.

As a member of the Massachusetts Board of Conciliation and Arbitration, I assisted in investigating the Lawrence strike in 1912, and served again in the same city in 1919 when about 13,000 operatives came out. But the second strike failed to make the appeal to the public that the first one did. The nine-dollar-a-week, ill-nourished, poorly clad, sodden-looking "mill hand" had disappeared. The wage scale had gone up. It had become fairly comparable with that established in other industries.

In certain localities it has been shown that wage rates increased 168 per cent between 1912 and 1920. Then, as an expedient to meet a loss of production caused by a radical change in the wearing apparel of women, horizontal cuts were repeatedly made; but in 1929 it was still claimed that wage rates were about 80 per cent higher than in 1912, yet a sharply reduced demand for cotton and worsted fabrics in wearing apparel had resulted in a curtailment in mill operations so that for months at a time, textile operatives worked three days a week instead of full time. These curtailments removed the normal profit in the wage for these operatives.

Over night women shook over eight yards of cotton fabric from their bodies and the spindleage of the country was based on a woman wearing that quantity of cloth. There was the chemise, camisole, petticoat, one to half a dozen, and the garment spoken of in polite society as "un-

mentionable" which occupied a rear place on the clothesline Monday morning. The lack of this business did not at first affect the mills. Many of them were occupied with the making of certain fabrics needed for war work or could adapt their mill to make such products, but when war orders ceased the entire industry was affected by a sharp curtailment of orders. Perhaps no other condition in our industrial life made such a change in the economic conditions of as many hundred of thousands as the change in style affected the textile industry. North or South, mills were affected. Some closed and liquidated, but most of them attempted to operate a few hours a week. If it had not been that the war demands established a higher rate of wage, thousands of operatives would have become public charges. The old wage levels would have destroyed them. As it was the going was pretty rough. Notwithstanding they received more in three days than they formerly obtained in a week, the cost of living had increased correspondingly. The lack of work and despair of want was more manifest in the North than in the Southern textile districts, where living conditions are cheaper.

Some manufacturers and certain Chambers of Commerce whose enthusiasm is exceeded only by their promoting instincts, are responsible for the reputation given the Southern textile industry for its low wages, long hours, and child labor. Industrial promoters, authorized by power and transportation companies to encourage new industries to locate in the South, have used the low wage scale as a reason for a talking point in their advertising propaganda. Long hours and night work are stressed, too. In the North, particularly in Massachusetts, whenever the textile manufacturers associations there seek relief from the rather amazing class legislation which precludes women from working in a textile establishment after six o'clock at night, they use

in their arguments the competing hours in the South and other states.

When Congress enacted the eight-hour law, subsequently declared unconstitutional by the Supreme Court, the employment of women and children and long hours in the South were the most telling arguments that influenced members to vote for the bill. Therefore the South established a reputation which has been regarded by labor organizers as a very attractive field for operations. But incursions made from time to time, while temporarily fruitful, have been without any permanence in results. A good-sized organization was secured by a textile union in South Carolina about 1900, but it was wrecked by some of the union officials, who were transitory if not downright careless with the union's treasury. This gave the union a black eye there. Another substantial organization, twenty years later, got under way in the Charlotte district. A subsequent strike was sold out by a person of influence with the strikers but not with the organization with which they were affiliated.

The three or four persons whose greed and dishonesty hurt the workers and brought reproach to the labor movement in the South have since been practically "men without a country." Officials of the legitimate labor movement of today have followed these renegades relentlessly, and, with one exception, the ill-gotten gains acquired by this gentry have proved to be an expensive luxury.

These are mainly the reasons why the efforts, up to 1929, to organize the South have been ineffective; but another reason, and perhaps a material one, is that many of the manufacturers have established conditions superior to any elsewhere in the textile industry. Farsighted managements in many of the Southern districts have built model villages and equipped their mills with modern machinery and sanitary improvements which, together with the steadiness of

employment, is a reason for growing generations to seek employment and continue in employment in these mill centers. Opinions, of course, vary, but it is nevertheless a fact that there is a greater profit in the wage for a worker in any modern mill in the South than there is to the textile operatives of the North, each making a like product.

The rent of one of these modern five or six room cottages in one of these model villages in any Southern state is over 60 per cent less than the textile operative in Fall River or New Bedford would pay for the same thing—assuming that he could find a cottage of like type in his city. This and the concomitants which enter into the cost of living are advantages in favor of the Southern operative.

But these conditions do not obtain at many of the older and smaller mills which are plentifully scattered over several Southern states. Their managements, harassed by a competition from concerted mass production to which they themselves contribute their volume twenty-four hours a day, have little time to consider the poor housing conditions for which they are responsible. Their neglect is readily explainable: they still believe their form of housing is better than what the workers ever had before; that the jobs provided are as good if not better than anything else in the neighborhood; that the hours of labor are no more nor less than those worked elsewhere; that the rates of pay while lower than they were are still higher than the scale of 1912; that the work is harder because competition is keener.

Their attitude was and is an expiable offense, but they continue to offer themselves and their properties to the tender mercies of a system that lowers wages, reduces dividends, and creates labor disputes. Such mills are embarrassing factors in the industry. They are strike breeders, dispensers of the spirit of discontent, menacing alike to

their communities and to the reputation of the better element in the industry.

Too many Southern manufacturers hide behind the thought that their operatives are better off than they were in moutain homes or on leased farm lands. But they have seen the mountain homes. Those who come from a distance —newspapermen, magazine writers, labor organizers, public officials, and unofficial uplifters—see only the homes of the workers in the mill villages where strikes are raging. Drab little cottages set on posts, with a shallow porch—some call it piazza—decorated with box or stand holding water pail, dipper, and bar of soap. Hung on a nail near by is a wash-dish which has formed an outline on the wall from which a trail etched by the sudsy drippings extends to the floor. Weeds grow beneath the cottages, disturbed only by a clutter of boxes, tin cans, and broken parts of furniture. The space between sill and ground is not latticed.

There are spaces for streets—mostly unpaved streets, excepting where ledges protrude on hillsides. At the bottom there are hummocks and mudholes. No grading, not even rough grading. The pretense of a street may be below or above the sill line. If above, a deep gully or ditch on either side of the road takes care of drainage. A board walk provides a stepping stone from cottage to road. No lawns, few flowers—just bare ground worn smooth and hard when dry, slimy and slippery when wet. There are, on some streets, narrow sidewalks built of boards, planking, and posts. They sag in places. Flanking the edges are patches of tangled grass and weeds, dusty green in summer, brown in winter.

Here and there are villages where all the cottages need painting to freshen their fading exteriors. Those that are painted usually follow out the color scheme of the mill buildings, thus enhancing the beauty of sameness. Occa-

sionally one may see evidence of farsighted architectural design like inverted rusty milk pans flaring between sill and posts, presumably to deter rats or field mice from shinning the posts and entering the cottage through partition walls.

These are the types of mill villages which mainly advertise the living conditions of textile workers in the South. Whether such conditions are superior to what the workers formerly had is not a good reason for their continuance. As long as they exist they are a visible invitation to open-minded writers, as well as biased critics, to confer a reproach upon those responsible for the maintenance of such habitations. Add these sources of complaint to the grievances found in the mill where working conditions and excessive hours of labor make the wages of the operatives appear pitifully low, and the manufacturer is faced with an embarrassing group of facts.

It is difficult for representatives of textile manufacturers associations to convince others that these conditions do not reflect the real situation in the industry. They may be able to and can without doubt point to scores of model mill villages where working and living conditions are unsurpassed anywhere. But their audience sees only what is before it. And it is not at the modern, ably managed mills where strikes occur, nor do the strikers reside in model villages. It is where the other kind are located, where even a Communist can secure a foothold for the spread of his disloyal doctrines.

Since 1921, when the textile industry everywhere entered into a long-drawn-out campaign against itself, the Southern manufacturers have almost unitedly followed a method of campaign which was bound to carry a large number into bankruptcy. In round numbers, there are 18,000,000 spindles in the South, more than half of the 35,500,000 in place in the entire country, but the Southern manufac-

turers as a whole operate their 18,000,000 spindles twenty-four hours a day. The use of this enormous capacity, mostly on medium and coarse goods, had poured an unceasing supply of this quality of cotton fabrics into a market controlled by converters and selling agents. The manufacturers do not control anything, not even themselves or the industry. They merely open a bale of cotton—card, spin, and weave it into gray cloth, and then dump it into a market which fixes the price. With a continual flow of gray cloth into this overflowing pool, it has for many years been described as a "buyer's market." More cotton fabrics are in use today than ever before, but the price of all of it, aside from certain novelties, has gone down so low that the biggest textile organizations have not even paid stockholders a dividend for several years.

The almost ceaseless operation of the Southern mills has provided permanent opportunity for the converting market to use one mill against the other in beating prices down until profit has disappeared and managements of many mills have found themselves with neither capital nor borrowing capacity. As long as they are able to keep going, they manufacture in sufficient volume to effect prices in all grades of cotton, woolen, and worsted fabrics to the defeat of all.

Except in cases where the management is of superior sagacity, the textile mills have not been receiving a fair price for their products. As the competing net is drawn closer, manufacturers seek other means to decrease the cost of production, and several of the methods adopted have taken toll from the operatives. The so-called "stretch-out" system, which resulted in several strikes of unorganized employees in South Carolina in the spring of 1929, had its birth in a method of decreasing costs in order to be able to sell gray cloth as cheaply as some other mill or mills, and

doubtless this effort to economize will continue until economic pressure compels manufacturers, operatives, and banks to get together for their mutual protection, and put up a resistance which will insure to the industry a fair profit that can be shared in alike by those dependent upon it. They are all victims of a condition which, after all, they are responsible for. The employees' fight for better wages is primarily with the employer, and the latter's capacity to pay is limited by a profit secured from the sale of cloth or yarn manufactured in his mill. He is selling to a market which serves hundreds of other manufacturers making the same thing in the same way. He may figure his costs and ask on top of such costs a price which will yield a fair profit. Hundreds of other manufacturers are doing the same thing, but what each of them asks is subjugated by a market which will pay only the price fixed by itself. But this price is really supported by manufacturers anxious to keep their organizations active and support those dependent upon them for opportunity for continuous employment; so they accept prices and terms imposed by a market which enjoys the advantage of unlimited competition.

The textile manufacturers are associated together in various forms—local, state, and national. Each district maintains an association comprising a membership of manufacturers in the vicinity. In some localities the membership is not unanimous, owing to disputes between certain elements as to the adoption of policies and the conduct of such policies. In localities where textile manufacturing is largely installed, state-wide associations are maintained.

These local and state associations support two national associations, one North and one South, and these associations in 1925 created a sort of superstructure named the Textile Institute. Its objective, among other things, was the correction of all the defects which were carrying the

industry down to its former low estate, especially low as relating to its wage levels. Several years later, on May 24, 1929, the president of this institute, in an address to members of the textile organizations of the North and South, declared that, "It is a strange thing that a leader in mill management will resort to great study and research and make additional capital expenditures amounting to hundreds of thousands of dollars in order to diminish his cost of manufacturing by one-eighth or one-fourth of a cent per yard; and then, apparently without serious concern or adequate effort to avoid it, will give away all that saving and more, through resorting to unsound and at times apparently inexcusable methods of merchandising. It frequently looks as if the motto of the industry was 'We will promptly follow the minority which sells below a cost fair to the industry, but we do not propose to set or follow any example which would promise the return of cost to the great majority.' "

No new thought is contained in these remarks. They merely repeat and emphasize the existence of a faulty relationship between manufacturing and distribution which has been tolerated for nearly a century. For this reason it may be unfair to criticize the functions of an institute whose purpose, among other things, is to correct this defective condition and help to insure the country against industrial turmoils bound to follow a trend to lower wages. But it would seem that something more constructive should have grown out of four years' effort. Instead, we have beheld a steady retreat of the wage scale, accompanied by decreasing dividends and a sharp decline in textile securities.

Most associations are as strong as the weakest link in them. An association contemplating a mutual benefit for its members and the industry should endeavor so to clothe itself with power to regulate individual conduct in the management of a mill as a protective measure for the industry

as a whole. For instance, few if any of the associations in the textile industry exert a supervisory influence over certain of their members whose relations with employees are defective. Conditions within such plants, too, are potential volcanoes likely to erupt a lava of discontent to flow over the industry in the entire region. When one of these units, as the result of poor management, is forced to face a strike and endure the contumely of public opinion, other manufacturers in the association come to its rescue and support it the best they may. But they all lose, as they do in their failure to prepare properly for style changes and in the continuance of a faulty method of distribution. Instead of exercising a proper, tactful, and experienced supervision to guide a member of the association in the conduct of his relations with employees, they let matters drift until they are all sprayed with the "lava of discontent."

Textile associations have opportunities to learn much from their past experiences and from other associations whose membership is made up of manufacturers regulated by a sagacity and understanding which keeps those industries, year after year, free from strike or lockout by installing working conditions and wage levels which insure, not only the industry, but the public, too, from the turmoil of industrial disasters. However, we find the textile "barons" are no longer "barons" but industrial mendicants, whose failure to maintain the "class" described by Gladys May must ever remain a self-erected monument to its loss.

CHAPTER XIII

"Recognition of the Union"

One of the most vexing questions in labor disputes is "recognition of the union," and it is, perhaps, the most seriously regarded by many employers. The writer has conferred with parties in controversy for hours at a time endeavoring to bring about an amicable adjustment when the only point in dispute was "recognition of the union," everything else having been agreed to. At one time an employer said that he would close up the factory, liquidate his business, and sell what was left at auction rather than recognize the union.

"Why," he said, "if I recognize the union, it means that I cease to run my own business. The union will step in and tell me what to do."

"Just what do you understand 'recognition of the union' to mean?" I asked him.

"Why, it means that the union will step in and run my business at any time when they are not satisfied with the way I run it," he repeated.

This was not my understanding of "recognition of the union," nor could I recall any precedent which would serve to support his contention; but, nevertheless, it was several hours before he was convinced that "recognition of the union" did not contemplate such a radical change in his rights as an employer as he feared.

Shortly after this dispute at a public investigation conducted by the Massachusetts Board of Conciliation and Arbitration in another case, the writer was endeavoring to

ascertain the cause of the strike and the parties most responsible or blameworthy for its continuance. Among the requests which had been made by the striking employees to the employer was "recognition of the union," which was explained by Frank H. McCarthy, organizer in New England for the American Federation of Labor. I believe this was the first and only occasion that "recognition of the union" has been defined under oath in a public hearing. The following questions and answers are from the stenographic report of the investigation:

Commissioner Wood: What condition would be imposed upon the employer or contemplated to be imposed on him by Article 1 (recognition of the union) in the proposed agreement?

Mr. McCarthy: It means recognition by the company of the American Federation of Labor, of which organization we are now a subordinate body. It would simply mean that any person employed by the company who would be eligible to membership in the American Federation of Labor would have a right to join that membership without fear of discrimination or hardship in any manner through so doing; that he would be simply a free agent to decide for himself whether or not he desired to attach himself to that labor body without any interference whatever from the employer; and further, that in the event of grievance or complaints arising in his occupation which he desired to call to the attention of the foreman and have remedied, he would have the right to have that attention called through the organization of which he was a member. Now, the purpose of that is very clear and simple and in making this statement, I do not desire to be understood as in any sense reflecting upon the line of policy. We know from our own experience in a great many of these matters applicable to all industry that an employee who is known to have attached himself to a labor organization, irrespective of how good a workman he may be or how conscientiously he may attend to his employment, will be immediately discriminated against on account of his connection with that organization,

and it is in order to prevent a general condition of that kind that we make these provisions to apply to all lines of industry so no employer can say we are expecting some condition of employment which we have failed to exact from some other employer. That is what Article 1 means, that all employees who are eligible to membership will be enabled to do so without in any way interfering with the operations of the company and that they would have the right in the event of any grievances to have those grievances presented for them by the representatives of the organizations.

Q. Is the Article a usual provision in agreements which are existing between other employers and employees?

A. In all cases. The language may not be identical, but in all cases there is an article guaranteeing in some form of language the right of the employee to exercise his own judgment and the firm guarantees not to interfere in any manner with the right.

Q. The insertion of this article is not unusual?

A. Not at all. It simply is usual; it would be unusual if such a proposition was not in this paper.

Q. Are the employers and employees working under this form of agreement, so far as you know, enjoying friendly relations?

A. The evidence of that is they have been repeated year after year, and as the action has been voluntary action, it is fair to assume that employers who have been working under it would not renew it unless it was favorable to them.

Q. Is there anything in "recognition of the union" which contemplates interfering with the right of the employer to determine the fitness and capacity of his employees?

A. Nothing whatever.

Q. Or the right to discharge for cause?

Q. Nothing whatever.

This would appear to establish that "recognition of the union" does not contemplate interfering with an employer's obvious right to determine the fitness and capacity of employees, or limit him in his right to discharge. There should

be no controversy as to the right of an employer in these matters. No condition of employment can be healthful in discipline or production if the employer is restrained in exercising his opinion of the competency of employees or his option in changing them.

A good way for an employer to help organize a union is to oppose it. Employers who show tactlessness in opposing "recognition of a union" are assets to the organizers. One man wrongfully discharged for joining a union usually inspires a dozen others to join.

An employer who refuses to confer with his employees in his office is really inviting them to a union hall to shout what they think of him. When in doubt what to do let the employees talk to you. A discussion in the office is worth a million statements outside.

But, on the other hand, a union that endows its representatives with a notion that "recognition" is infallible, that an employer must bow to its mandate, is as certain to lose out as the employer is certain to win if the latter contests the issue to its bitter end. Many unions have overreached on this issue and have bankrupted their memberships. I shall only cite a few of them, but these should serve to establish better understanding in the minds of many who believe that the position their union occupies is impregnable; that the nature of the work performed by its members is so specialized and important that an employer would find himself helpless if he attempted to fill their places.

Two strikes of milk drivers—one in New York, the other in Boston—are noteworthy for the reason that they followed the same occupation, their union affiliations were identical, and the Boston men had the advantage of witnessing the downfall of their brothers in New York which should have served as a lesson to guide them in their policies.

The New York milk distributors had asked for a wage reduction of 13.3 per cent. The employees countered with a demand for an increase of $5 per week.

Conferences were arranged by commissioners of the conciliation service of the United States Department of Labor which were continued for a week, with few intermissions. The parties had successfully mediated about thirty articles of an agreement covering hours of labor and working conditions and had reached a point where the question of wages was under discussion and consideration. At this point the union representatives began to manifest great impatience. The representatives of the milk distributors held a hurried conference and then informed the commissioners that they were willing to withdraw their demand for a decreased wage and to continue the existing scale for another year. The proposition was submitted to the representatives of the union and was summarily rejected. An offer to arbitrate the wage question was urged by the commissioners, but this was also rejected by the union officials. The official report declares:

> The conciliators (Commissioners Charles Bendheim and Homer J. Brown) exerted every possible endeavor to make the union representatives perceive the deplorable situation which would result from an interruption of the distribution of the necessary milk supply in a territory embracing fully 10,000,000 people. They were not successful, however, and the strike became effective.

The employers had not, previous to the strike, raised the question of union recognition, but thereafter their attitude changed and they reached a determination to no longer recognize the union or have further dealings with it. They immediately began to employ workers to take the places of

the strikers and were successful to such an extent that a new force was soon secured.

The point that sticks out here is that the employers were able and did fill the places of 11,000 trained men comprising route salesmen and riders, teamsters, chauffeurs, helpers—in fact the entire station forces from platform men to bottle washers. Many of the strikers, however, returned to their former jobs which in itself was a recognition that they had lost "recognition."

A local in Boston, in which the drivers of three milk concerns held membership, was faced by a condition not unlike that in New York but far more embarrassing. Three large companies, each having a milk depot with separate organizations dealing with the retail trade—that is, delivering milk by the pint or quart to the consumer—decided, and did, consolidate. By this arrangement various economies were effected. The routes were rearranged so that one driver alone would cover the trade in a locality previously covered by the drivers of each of the three companies. Instead of three general stations one big central depot was set up at a terminal where the carloads of milk from the country were delivered. The milk was unloaded, bottled, and prepared for the delivery wagons.

It so happened that one concern for many years had been a party to a working agreement with the Milk Drivers Union; the other two had not. After the consolidation was effected, the officers of the consolidated company were made up of the officers of the three companies. The officers of the two companies which formerly had been "open shop" voted in favor of continuing an "open shop" policy. This was done without prejudice to the union. Before the consolidation two of the companies had not recognized the union, but had not discriminated against any of its drivers who held membership in the union. A continuance of this

policy was adopted by the consolidated companies. The drivers were assembled and the details of the consolidation and its policies were outlined to them. The men were told that the consolidated company, by its policy, would not enter into a trade agreement with the union, but in no manner would interfere with the rights of its drivers in continuing membership in the union or in joining the union. The union scale was $38 a week, and the wage of the consolidated company was established at $39 a week plus a commission for increased business over a certain amount brought in by the driver. It was asserted by the officers of the company that each driver covering a concentrated route from which two competitors had been eliminated by the consolidation, would have the time and opportunity to increase sales. This estimate was verified when, in a short time, drivers were steadily earning from $43 to $58 a week.

The union was between the "devil and the deep sea." The consolidation had, it was claimed, terminated the agreement existing between it and one of the companies entering the consolidation. Yet a trade agreement was in existence which prohibited the company and the union from resorting to strike or lockout. The employer-party to this agreement, in going into the consolidation, would still keep contact with the union drivers. He urged them to stay on their regular jobs. Therefore, no lockout was forced on them. They were not denied a right to continue membership in their union. Therefore no discrimination was manifested. The relations between this company and the union were pleasant—had been for many years. All its drivers, station employees, and stable men held membership in the union. There appeared to be no way by which the union could absorb the conditions made by the consolidated company without appearing inconsistent. Its by-laws provided that a certain form of trade agreement must exist. The

relation proposed by the consolidated did not meet such conditions. Among other things the policy of the consolidated included an agreement between it and a driver relative to wages, commissions, and hours of labor. The union held that this was an individual contract, and, therefore, inimical to the letter and spirit of a union trade agreement.

There being no appeal from the policy adopted by the Consolidated, the union decided to strike. Considerable opposition was manifested and the representatives of the union were advised by conservative members to go along with the company, keep its membership, and endeavor to increase it. This appeared possible because of the substantial number of union men already in the employ of the company. It seemed reasonable to presume that members of the union mingling with other fellow-workers in friendly and normal associations would be influential in getting them into the union. The friendly employer told the men and their representatives that the consolidation was the result of ordinary business prudence to effect the economies in which employees and stockholders alike would have a share. And he further assured them that in no way was the consolidation likely to affect the relations between the employees and the union.

Naturally enough, the company wanted to hold its old employees, and they were opposed to any movement which would deprive them of a trained organization. The union failed to recognize that this was, perhaps, the most essential reason why the company would not discriminate against the men for joining or holding membership in a union. The representatives of the union, however, did recognize it as a compelling argument for calling a strike, reasoning that the company would give in and enter into a trade agreement rather than lose the services of some two hundred and fifty workers.

The strike was called, and for several weeks the union endeavored by force to convince the company that it was to its advantage to sign an agreement. Here and there unguarded trucks loaded with bottles of milk were tipped over. Persons familiar with routes followed after deliveries and stole bottles of milk. Even the business agent of a local was caught, arrested, and convicted. Cases of milk were removed, soured, and substituted the next day for fresh milk. A person would open a can of milk and spray it with ink from his fountain pen. Odorous chemicals and emetics were injected, and similar methods pursued that seemed most likely to discourage persons from patronizing products of the company. Members of the union working for other milk companies were urged to divert customers of the consolidated.

An injunction was sought to prevent these acts, which pursued its leisurely way through the courts and a hearing by a master. The company proceeded to fill the places of the drivers, who were really a sales force, and other employees who had been called out on strike. This was not a difficult thing to do for the reason that there isn't anything connected with the handling and distribution of milk which requires skill, as skill is understood in industry. Outside the drivers, a man, woman, or boy can be shown in a minute what to do, and from then on their proficiency is dependent upon their own ability.

A driver is both a salesman and delivery clerk. He is the representative who meets the public in behalf of the company. On him depends the good will the company must have to create and keep its business. So a driver must be considered on the basis of personality, an ability to memorize little things, a keen sense of order and promptness, a realization of the importance of detail, and a profound sense of the need of accuracy. The trained force of these very

useful men who went on strike was lost to the company. The strikers themselves lost the jobs for which they had trained themselves. Their places were filled by others at a grave expense, equal, perhaps, to the loss of opportunity for the strikers to utilize the knowledge and usefulness in similar work without the expense and inconvenience of moving, to themselves and their families.

The behavior of the strikers incurred a tangible loss to the Consolidated, particularly in the raids made by them in the field covered by the company they had worked for. By showing an utter disregard for long-established friendly relations they created feelings of bitterness that continued unabated throughout the stern prosecution of a case for civil damages which was fought up to the Supreme Court, where a verdict in the sum of $55,647 was decreed. In order to collect it, the company attached the funds of the union and also the wages of the members. With their wages tied up and the statement of their counsel that they must pay the damages, a compromise was worked out which called for a payment of $35,000 in installments of $5,000, the last payment to be made not later than March 15, 1929. According to the terms of the settlement, each union member paid $3 per week until the amount was raised, and this assessment was collected by the officers of the union. Each driver's assessment amounted to about $42.

Another union loss occurred in the same locality. Members of an electrical union were employed as linesmen for a company which did the outside work in maintenance and repairs for a public service lighting corporation. The contract was held and performed by a company engaged as a general contractor in the building industry. As is usual in that industry this particular contractor had trade relations with all crafts engaged in building operations. It might be added, too, that his reputation as a fair employer was ad-

mitted and his relations with representatives of the unions were cordial and businesslike. The contract with the lighting company was the only one of its kind the contractor had made. He had entered into it a number of years before when business in the building trades was slack, and it had been the means of providing employment for a group of his men who would have otherwise loafed. Whenever the agreement was renewed it was the usual thing to agree to an increase in wages. During the war these increases were marked, and after the war they continued upward after the rising cost of living had begun to recede.

As a result, the wage scale of the men engaged in performing the work provided in the contract considerably exceeded the wage given to men engaged in a similar line of work. Other employers complained to the contractor that his wage scale was out of line with the going wage in the locality. But they were politely told that the men were veterans by their long service and through their long service had acquired a competency that was of value to the contractor to a degree that justified him in paying a wage satisfactory to them and to himself. His attitude in this respect gives one a fair insight into his broadness as an employer.

Then came a time, prior to the expiration of the contract, when the union served notice that a further increase in wage should be granted. It happened about this time, too, that the contract which the contractor had with the lighting company was due to terminate. The company served notice on the contractor that if another increase in wage was granted, they would not renew the contract. The representatives of the union threatened to strike his building jobs in other parts of the country if he didn't grant an increase.

The contractor, being a proud man of parts, was inclined to tell somebody to "go to hell," but he did not permit this

impulse to interfere with his ability to reason wisely and well. As compared to his general business, the contract with the lighting company was a very small unit, and he decided that he would not permit it to longer interfere with his regular business and his relations with union crafts. He sold it to the manager of the unit who organized a corporation which took over the property and equipment. The contractor thus retired from the contract and the former manager became the president of a corporation and proceeded to continue the work without interruption or change.

Representatives of the union were called in and were given an explanation of the transaction. They took the ground, however, that the sale was "phoney," the purpose being to duck a further increase of wage and to insure the general contractor from sympathy strikes on his jobs elsewhere. They did not appear to take into account his reputation for integrity and fairness established by many years of dealing with union crafts of all kinds. They disregarded, too, the reputation of the manager, who, for nearly twenty years, had been in daily association with the members of the union that had presented the grievance. His word was regarded as good as a bond, yet they did not believe him when he told them that there would be no changes in personnel or conditions except the practice of making a formal written agreement. He explained that the public service corporation which let the contract had made it a condition precedent to the acceptance of the agreement by the contractor that the latter should not enter into an agreement with any union.

The union proceeded to read into the subject a sinister aspect which in fact did not exist. They felt justified, however, in suspecting that it was a pretext to eliminate, from time to time, the linesmen who were members of the union. So they called a strike and "sank without a trace." When they sought cooperation from other crafts, in an endeavor

to tie up the general contractor, they were laughed at in some quarters and received sympathy in none. Representatives of labor councils in their own locality advised them to call the strike off and get their men back. State and Federal officials, reviewing the situation, made similar recommendations; but certain members of the executive committee of the strikers, actuated by the impelling motive of having their own way, were unable to see the advantage of making an orderly retreat nor the prestige which would come to them by accepting the advice of other representatives in the labor movement.

The strike was called off, but too late to do the strikers any good. A new force had been trained, and the competency of the new organization may be estimated because only three of the old men had succeeded in getting their jobs back six months after the strike was called off.

While this is cited as a typical case, it is especially noteworthy because the work of a linesman requires exceptional skill as well as hard work. The claim that a linesman, performing the work required in making the repairs and additions among high-voltage outside wiring, requires a long training appears to be reasonable. But here is a case where every outside linesman employed by a contractor, erecting, installing, maintaining, and repairing equipment carrying high-voltage electric currents, was practically forgotten in a few weeks. New men were trained, not in a minute, of course, but eventually, and it serves as further proof, which employees too often disregard, that no matter how important they are in filling a job requiring skill and capacity, an employer, if he must, will find other men just as proficient to do the work.

The lighting company and its affiliations were "open shop." It did not go out of its way to antagonize labor organizations, or discriminate against any of its employees

who held memberships in unions, but it consistently refused to be a party to an agreement with a labor organization. There had been attempts to force it to recognize a union, but without success. It had, years before, employed and conducted its outside work, but a strike of linesmen caused the company to let the job out to a contractor and shut its eyes to its "closed shop" aspect; but the continual increases in wages and other conditions granted by the contractor, in order, perhaps, to protect his building operations, grew so burdensome, in the opinion of the executives of the lighting company, that they felt obliged for their own protection to call a halt. They had it in their power to do so. It was their contract; they could place it with whom they chose, "open shop" or "closed shop." They had tolerated a "closed shop" condition until members of the union reached a state of mind which actuated them to reason beyond normal conditions in employment and assume an attitude of dictatorship considerably beyond the limit of normal employment relations.

Behind this big company, in addition to its own great financial resources, were practically the whole banking facilities of the whole metropolitan district. No matter whether it cost one dollar or $1,000,000 to break the strike, the strike was to be broken. No matter how much it cost to train a linesman, the expenditure was made. It was a situation requiring a great outlay of cash, not an expense but an investment—an investment to support the right of an employer to make and maintain a normal business contract. Here was a principle that the union attempted to set aside. They denied the right of the company to maintain a principle, and refused to admit that they were not within their rights.

This state of mind is not localized. It has shown itself everywhere in tests of strength. Let us turn to the Pacific

Coast to a case of locals holding membership in the brotherhood. About sixteen hundred out of about eighteen hundred workers were members of the union. The company did not discriminate against employees who held such membership. Their relations were friendly and normal, but it had consistently refused to recognize the union which, for no apparent reason other than, perhaps, that of pride, suddenly demanded recognition, and entered upon a strike to enforce it. A restraining order was issued by a court, and the men returned to work five and a half hours after the strike order. The issue was further pursued in the courts in an endeavor to compel the employer to recognize the union. It was denied, and an appeal from the court's decision failed to change it. As a result of this hasty endeavor the membership was entirely lost to the organization.

Two thousand members of a union employed by a street railroad in a lake city went on strike as a means of compelling the management to sign an agreement with the union. The management would have allowed them to collect union dues on the company's property, and it imposed no obstacle likely to prevent the union from continuing to function. The strike lasted about a year and showed a complete labor turnover of two thousand men—all new help in every department. There is not a semblance of the union left. A similar strike occurred in another part of the state for the same reason. Strikers lost their jobs, the union was "busted." The public that cursed while it walked now rides with indifference.

A peculiar feature of a strike of ice handlers in an Ohio city was that the employer insisted that the employees engaged in the distribution of ice must be members of the union. This attitude inspired the employees to assert themselves as a union in a manner that resulted in its dissolution. They had presented a list of demands, badly written,

and so ambiguous in construction that, had the employer complied verbatim, the employees would have been deprived of earnings and some favorable conditions. A commissioner of the United States Department of Labor suggested that the expiring contract be taken up and considered *seriatim*. This suggestion was followed, and in conference a number of fair concessions were made by the employer. A good agreement was nearly completed when the leaders of the ice handlers stampeded the conference while haggling over a minor item and declared that the original demand of the union must be considered paramount to any line of reasoning and assumed a "take it or leave it" attitude.

This terminated negotiations and brought on a strike which lasted two months. An international representative was called in, but he was unable to restore reason among men who were misleading themselves by a false spirit of independence. The company insisted on employing union men and they thought they were the only men who met the specification. They overreached. It dissolved the union.

Trade agreements, taken as a whole, are strictly observed and kept by responsible, well-disciplined unions. Employers who have not had much experience with this method of dealing with employees or a union frequently aver that such agreements are without force for the reason that a union is not a responsible party to a contract; that if it violates the terms of the agreement, there is not any adequate legal result; that it has no property to attach in a civil action to recover for alleged damage; that the employees collectively or severally do not possess resources which would be accepted as legal security in a substantial action in law.

Assuming that all these things are true, the lack of them has not interfered with the observance of trade agreements. After all, the best asset of a union is a rating of faithful ob-

servance of its agreement. A union that fails to establish its ability to keep its written or signed pledges loses its rating. Further, if it fails to reform itself it will become bankrupt in membership.

A working agreement between employer and employees which contains an arbitration clause for the adjustment of disputes is a good form of insurance to protect the public from losses resulting from strikes and lockouts.

CHAPTER XIV

Newly Organized Unions Need Careful Supervision

Newly organized unions whose members are not carefully clothed with a thorough understanding of trade unionism create conditions most embarrassing to employers and disastrous to themselves. Exceptional demands are made by their representatives that have no place in employment relations. Each concession made inspires more demands rising from trivialities and petty grievances. These exactions spread into all avenues of industry and stimulate the American plan or "open shop" movement to greater activity as a means of retaliation.

Over 1100 members of a union comprised of gypsum workers in a district of a middle Western state were operating successfully with the mine operators working with a "closed shop" contract. An "open shop" fight was started in other industries, but the employers of the gypsum workers refused to join in the movement. They gave as a reason the fact that they had been working under "closed shop" conditions for a number of years and felt it was good business to maintain such relations. When the employers and the union representatives met to discuss a renewal of the contract in July, the employers asked that thereafter the contract should be dated as of January 1. The reason for this request was that prices to the trade were quoted in January, and it was difficult to do this when there was a possibility that labor costs would be changed the first of July. They offered to make the agreement for six months from July 1 to the first of the year, and then make an an-

nual contract from January to January; or they were willing to make a contract for eighteen months, dating from July 1.

It is customary for a union enjoying trade relations with an employer to recognize the conditions in the trade and concede any point which is helpful in assisting the latter to make contracts ahead. But this request was refused. The employers informed, by wire, the international headquarters of the union, and a representative was assigned to make an investigation. Conferences were had, and the international representative advised the local union to accept the eighteen months' contract. His advice was not taken, and at a meeting of the union its members told the international representative to "get the hell out of here," as they could run their own business.

One of the mules, used to haul cars in the mine, cut its hoof. A committee from the union waited on the manager and demanded that the mule be taken out; they said that it was "cruelty to animals" to work a mule with a cut hoof. The manager had the mule examined by a veterinarian who pronounced the injury a minor one, by no means serious enough to lay the mule up. A strike was called and again an international representative was summoned but his good offices were futile.

This strike was merely a repetition of others called, for reasons more or less petty. But this one, involving the mule and following the union's refusal to concede a point that would enable the employers to more conveniently estimate and quote prices to the trade, was certainly farfetched. The employers went on strike against such unionism and joined the "open shop" movement. The strikers were without the sympathy of their international representative, without the daily support of a good job, with nothing to do except to meet at their union hall and expound

the wisdom of their course. Later on there was no union hall, for there was no money to pay the rent.

The radicals who had caused the trouble were among the first to return to work when they got a chance, but some of the workers were obliged to find work elsewhere. The employers took the duration of the strike as an opportunity to install such equipment that it became unnecessary to employ so many men. Without membership, representatives, or hall, there was no union to call off the strike. The sore-footed mule stayed on the job, and all the former strikers who could return went to work, and the only one who profited was the veterinarian who collected a fee for examining the mule.

In their zeal to organize or increase membership in unions, some organizers make wild claims and extravagant promises which give new members a false understanding of their rights and their employers' rights in employment relation. Here is one of the vital reasons for creating a state of mind leading employees to intrude upon the rights of management. These false starts are one of the reasons for the ultimate destruction of many local unions, a natural penalty for rash promises made to induce workers to join a union.

A veteran organizer of conservative habits, in commenting upon the wreck of a hastily organized union conducted by organizers in another craft, remarked that a newly organized body should be prohibited to strike for at least three years from the time that its charter was granted. Some such safeguards are included in the constitutions and by-laws of various organizations to discourage hasty or drastic action. Such provisions seldom retard a committee or members of a union from taking strike action, particularly those whose minds have been distorted beyond a calm understanding of the meaning of unionism, to a point where they actually believe that a union card in their pocket and a

union button in their lapel signify a right to tell an employer where "he gets off" and a license to strike if he does not "get off" fast enough.

A pertinent lesson to clarify this point may be found in the steel strike, 1919-1920. About two years before the strike a plan of organization had succeeded in gaining over 25,000 new members and establishing 110 new locals. A team of organizers had canvassed the district with irrepressible enthusiasm. A majority of the workers in the mills were foreign speaking. Irresponsible organizers, speaking the language of these workers, in urging them to join a union, made promises which were impossible of fulfillment. When the organizers retired from the field, they left behind them completely officered locals with swollen memberships, but otherwise equipped only with ignorance to conduct the business concertedly with any employer. They possessed a childish eagerness and pride in their organization, the kind of pride that a child feels with its first watch.

Their meetings became forums for the tongue-tied. Men who had never made speeches, but had always wanted to, entered the chase and the whole pack was soon in full cry. From these murky halls, the workers saw a mirage in which the vast plants were turned over to them bodily, where "bosses" removed their hats and stood at attention when one of them passed. Unionism as interpreted to them meant a possession of "rights" which they did not know they had until the organizer had declared them. A majority of 25,000 sober, industrious, potential citizens lifted their feet from solid ground and dashed away to inspect, possess, and divide the gold at the end of an organizer's rainbow.

Naturally a state of mind such as this immediately was reflected within the plants. There was an immediate straining against normal discipline; tasks usually performed with

alacrity dragged; a word from the "boss" was met by a shrugging shoulder. A gesture meant indifference, a word indicated rebellion, and not infrequently threats of reprisal. Here and there a man was "fired." Workers came into their meetings with stories of discrimination. One was discharged for "no cause at all." A committee, seeking the adjustment of a grievance, was turned down. "Bosses" had become arbitrary.

As these things accumulated, the workers advocated strike as a remedy. This threat of a potential disaster sobered many of the leaders, and they cautioned the membership to go slowly. The international office, too, advised deliberation, but affairs were beyond control. No discipline existed where it had never been, and so the strike was on. In nine months not a vestige of their organizations remained. Fourteen other organizations involved in this struggle likewise suffered. One international union never recovered and is now practically out of existence. It will be many years before several of the others will recover the status they formerly occupied.

It was a serious blow to the labor movement. It created a prejudice in the mind of the foreign-speaking worker against unions. He was led to believe that the union would "deliver the goods." He tried it. It did not. It makes no difference how ridiculous his expectations were, his experience was that of the burnt child who thereafter dreads a fire. If the workers realized that the hardships and experiences were imposed by their own immature activities they have only pity for themselves. They remember what the organizer told them, of the wonderful harvests which would result from the fruits of organization. They remember that they were told something about "local autonomy," something that vaguely conveyed to them a pleasing sense of power. They remembered, too, that when they asked him

for advice and counsel concerning some particular action, they were told to decide the question for themselves; that their power to do so was supreme, that he had no authority to guide them in reaching a decision; that, being a mere organizer, it would be presumption on his part to usurp an authority vested solely in the workers themselves.

Then he would proceed to paint a wordy landscape lighted by Aladdin's lamp, a form of deception that paralyzes the minds of workers. A worker carried away by such emotions ceases to think intelligently. That which is a simple matter of routine on his job, becomes a grievance. The usual discipline of a shop is changed to a reproach, a burden on the worker. Over night a "boss" becomes a slave-driver, and immediate plans are laid to "get him." No one appears to have the courage or the capacity to make the workers clearly understand the errors they are committing as the result of misinformation. Those among them who attempt a word of caution regret their recklessness. Organizers responsible for this state of mind "duck" the responsibility. I have never yet heard an organizer who would admit any responsibility for the destruction of a newly organized union. Invariably he will reply that the body was composed of a "bunch of boneheads" who failed to act on his advice. Least of all, he does not point out to them that because of their new belief the "boss" is put on his guard. When the latter senses a position of studied opposition without being able to lay a finger on any one culpable, he naturally tightens up on matters of discipline, thus further inflaming the worker whose state of mind is a disordered moor. A worker less discreet than another, in a moment of bravado, defies the "boss" and is discharged. The fact that the workers fail to recognize that mutiny is a proper cause for discharge, is further proof that they have been "kidded" or have "kidded" themselves beyond all

bounds of reason. They have deprived themselves of an ability to see things as they are and as they must be. They shut their minds to real grounds for complaint by desiring to believe things that are not true. They are frequently inspired to do this when an organizer injects as a motive the "studied opposition" of the employer. At this point an organizer once shouted to a body of men: "He doesn't want you to join the union. Why? Because you will control, and he will do your bidding."

It is pertinent to insert here the comment made by one of the union officials of an organization affiliated with others in the steel strike. He said: "When those who are responsible for it will put a stop to wholesale promises of fictitious benefits to be derived in joining the union, existing only in the minds of these irresponsible organizers, hungry for applause, whose chief aim seems to be to make men and women believe they are buying front seats in Utopia when they make a down payment on their initiation fee; when the unions refuse to take people into full membership until they show they can pass an examination as to the fundamentals of unionism, so that recruits to the movement will not expect to reap at once all that it has taken others a lifetime to secure; and when organizations pay more attention to the education of their members—keep away from the obsolete strike idea—then they will be doing much toward the making of a good union."

The organizer of a union is a salesman. He may be a good one, not so good, mediocre, or no good. He is the visible representative of an invisible power. He reflects that which he represents. As he is, so is he taken by those with whom he comes in contact. He personally advertises the wares he endeavors to sell. If his product is sound and useful, and he advertises it honestly, those who purchase will find the product sound and useful. If he is a poor salesman,

a good product may not satisfy nor a useful service give satisfaction.

Unless the members of a union have knowledge of what unionism means they are very likely to look upon it as a license to strike. A union newly organized in any craft where arbitration agreements do not exist is a red light on the track of industrial peace. They are likely to strike at any time, regardless of whether they have sanction or not. Grievances against the employer are frequently referred to in the process of organization as a reason why the employees should join the union. An organizer, too, in his anxiety to increase membership, excites beyond endurance those who have already joined by making intemperate statements against the employer. They too often encourage the new members of a union to acts of warfare by ready reference to strikes as weapons of prosecution. In any event the members of the new organization absorb the idea that they will have "the world by the tail" just as soon as they strike. Veteran organizers, skilled in the knowledge of trade unionism and its meaning to employers, employees, and the public, endeavor and usually succeed in educating members of a newly organized union in the art of collective bargaining. The recruits are carefully informed that a right to strike is a power, the exercise of which should be conservatively protected. Membership in a union is not a license to dispute with the employer as to methods of performing work, neither does it give a member the right to shirk or slight work.

Another wise veteran of the labor movement gave a member the following advice: "Do your work better than a non-union man can do it. Do a day's work, win the employer's respect for you and the Union; we'll see that the minimum wage is fair. We'll better your conditions and

hours, but it's up to you to keep your job. When there are 'lay-offs,' be such a good man that you'll be kept on."

Employees were standing outside a factory at the noon hour listening to the speech of an organizer. The employer sent a messenger to tell them to "heed not the call of a paid labor agitator," but to get into the shop and stay until one o'clock. A few of the men dutifully responded, but all of them resented the employer's interference.

The result was they went to labor headquarters that evening and joined the union. In this case the employer accomplished exactly that which he was opposed to—he served to excite his men to do the very thing he did not want them to. He discharged the entire force the next day —thus confirming the opinion that he was endeavoring to disguise his lack of business judgment by making a spectacular exhibition of power.

One of the surest means of inducing employees to join a union is to display tactless opposition when they are in a state of mind which readily leaps at opposition. When an employer intrudes upon questions of personal privilege, he is treading on delicate ground.

A lot of employees do not "give a rap" about belonging to a union, but their interest is stimulated and a desire to do so is created when an employer, by word or act, denies them the privilege of exercising that which is their obvious right.

Men and women do not like to be told that they are "fools to listen to organizers," that the union is simply a scheme to get a slice of their pay, and that their welfare can best be cared for by the employer. This sort of argument touches the pride of employees, and when that is touched it needs a diplomat skilled in the knowledge of human relations to deal with the situation.

In an establishment where it was known that the em-

ployer would discharge employees or discriminate against them if they joined a union, industrial peace reigned for a number of years. Then a psychological hour arrived, and, without any apparent leadership or inspiration, most of the help formed a union and applied for membership in the craft affiliated with the American Federation of Labor. Then the storm broke. The employees did not wait for a representative to arrive to complete their organization. Nor did they apply for sanction or advice. Obsessed by an exhilarating feeling of power, which collective numbers stimulate, the help went on strike.

For three days the striking employees did nothing else but present and listen to grievances, real and fancied. It had been the policy of the employer to deal with the individual. He had consistently refused to deal with a shop committee or a committee of any sort acting for other employees. Therefore, the meetings of the strikers were enlivened with scores of individual grievances of long standing. Some of the grievances were of themselves of small consequence, but served to inflame the minds of the employees.

A woman employee told them that, three years before, oil dropping from the floor above had ruined a blouse which had cost her $1.35. She had requested the foreman to ask the employer to make good the damage. He laughed at her, she said. Then she went to the office, but her efforts to see the employer were unsuccessful. After several attempts she gave up the endeavor. But she did not forget, and her story added more fuel to the flames of rancor.

A veteran who had been employed in one department for twenty-eight years was out sick for three weeks. When he returned a new employee was running the machine he had operated. There was some delay before he got it back, and it soured his disposition. Fully 180 of the 300 odd em-

ployees gave utterance to similar grievances, each one more or less trivial, but formidable in aggregate.

After listening to a recitation of this accumulation of grievances it was suggested that the striking employees prepare a list of requests which they desired the employer to grant. This list was not presented until the employer had explained in detail the many reasons he gave for believing that the employees were ungrateful, thoughtless, and hasty. From his standpoint he had always considered their welfare. Any employee, he said, who became dissatisfied with wage and conditions could always appeal to him. He "pointed with pride" to the fact that only one appeal had reached him in seven years.

"So you see, there can't be anything unfair about the wages, else I'd hear more of it," he declared.

"How did you treat the case which the employee presented?" I inquired.

"Why, this man claimed that a slight change in the method of doing work he was on made it more difficult for him to earn as much as he had under the old system. Foolish, of course. The superintendent had made it easier for him but he couldn't or wouldn't see it. I backed up the superintendent. It would have been bad discipline if I hadn't. I hold him responsible for labor costs and production, and it is up to him to deal with the employees without bothering me with the details. I've told him to get rid of any man who isn't satisfied with his job."

This was the serious defect in his system. He had unconsciously removed himself from the most important function of the industry—dealing with employees. In fixing a rigid standard of costs, and holding the superintendent responsible for its strict observance, he thought it was fair to give this official full power in dealing with employees. The superintendent and foremen, having knowledge of the

employer's reluctance to mix in to matters of employment, naturally discouraged any desire in the minds of the employees to carry their grievances higher.

So the condition continued. On the surface from time to time were the usual cases of discord which arise in any establishment. But they were individual grievances or those in which only a few were concerned. Naturally, the superintendent having settled them to his satisfaction, dismissed the cases from his mind. He overlooked the fact that an employee has fewer things to think about and that which appears trivial to the superintendent looms large to the employee. He could not be expected to carry the details of several hundred grievances in his mind, but each of the several hundred employees remembered and nursed every point in his or her individual case.

The employer finally conceded that a system of employment which permitted the mental storage of grievances could be improved. The strike was amicably adjusted. One of the most important provisions of the agreement was the establishment of a standing shop committee chosen by the employees, to which any grievance not otherwise adjusted might be referred. Thus an employee with an alleged grievance could submit it to a tribunal of his associates for their consideration. If they deemed it a proper grievance, it was presented to the employer.

This served as a clearing house for grievances. Such a system, it is found, prevents an accumulation of grievances which are bound to disturb relations sooner or later. The employer found that his cost was decreased by an increased production. One reason, he discovered, was the fact that an employee performs his work more efficiently when his mind is not perturbed by a grievance.

I showed them how to lay out a plan for handling grievances in order to prevent confusion and one most likely to

protect both committee and employer from being suspected of conniving together. This is a very important aspect of an employment relation whether it be regulated by a "shop representation" or a trade union. There are times, many times, when a number of employees get a notion that their representatives are too close to the "boss"; that he has won them over to his way of thinking by flattering attentions or a cigar. These fancies form a basis for criticism, thoughtlessly expressed in all cases, unjustly in many. This is why members of committees refuse to serve more than once. Such criticism is sickening to them after spending much time and thought negotiating with an employer in an endeavor to obtain better conditions for their fellow workers. They find a more appreciative form of recreation working in the garden or going to a ball game.

Many "shop representation" plans have not been successful for the reason that they have been "lifted" from some other shop and slammed bodily into action without adequate preparation, but more particularly because employer, supervisory force, and employees were unaccustomed to deal with problems by this method. A lot of these plans, while good in form, are found defective in operation. A brief examination is sufficient to disclose their faults. Also, I have observed cases where some form of "shop representation" was installed when none was needed. All that was required were slight changes here and there, unobtrusively made, so that their appearance was unseen but their good influence was felt.

The growth of these plans has been expansive since 1917. Their general acceptance by executives proved that it was a way to retain employees and to lessen the chances of their showing a preference for a trade union. Then, too, it was thought to be the best way to prevent labor trouble. There was good logic in these theories. A well-balanced, honestly

conducted "shop representation" is a clearing house for grievances, and the disposal of these is a good form of insurance against a strike. It is the strongest competitor a trade union meets in the business of organizing.

Some plans have been harmed by the introduction of bonus scales, the deciphering of which is puzzling to employees. Until they are well understood and working habitually, they are sources of speculation, controversy, or arguments, which are frequently stimulated by unconscious bungling by the employer or supervisory force.

An employee has a better understanding of the contents of his envelope than he can ever have of a complicated bonus scheme. A plan he does not grasp causes him to suspect its goodness; and it surely will make him dissatisfied with his earnings. When he is mystified it leads him to question the integrity of the "boss." As long as he believes a good thing is wrong, it is.

CHAPTER XV

When Sensible Men Lose Their Heads

Men unused to sudden public prominence unfortunately delude themselves and their following after a smattering of publicity. To be posed by press photographers, besieged by reporters, followed by a crowd, listened to by adoring audiences, their policies and words loudly applauded, received respectfully by an employer in an atmosphere of business cordiality—are heady experiences which have caused many sensible men to feel an exaggerated pride in their demands and fail to realize when enough is enough.

A pertinent example of this is found in the strike of a large body of men and women from an eastern watch factory. The company, one of the oldest in the industry, was sinking to the depths of bankruptcy as the result of management which had for many generations regarded its position as impregnable. It owed several million dollars to banks and was running behind annually over a million dollars. The banks finally refused to renew notes unless radical changes in management were agreed to. Finally, in self-defense, the banking institutions put in as president of the company the treasurer of one of the largest textile manufacturing establishments in the world. The new president, who still retained his position as head of the big textile establishment, paused a moment at the desk of a young man employed in its New York selling agency.

"Clean up your work here," he said; "I've got a new job for you."

"What is it?" the young man asked.

"I've made you manager of the watch company."

"But I don't know anything about manufacturing watches," the younger man protested.

"Neither do I," the older man remarked, "and I guess that's what the business needs if it's ever going to come back."

The new management took charge, and many changes to effect economies were made. The president received no salary, and the salaries of other executives were reduced. The clerical force was cut in half. Other retrenchments were made in the hope that it would not be necessary to change production wages. The new management sought to avoid cutting wages, perhaps for one reason that it was freely rumored that they would, coming as they did from an industry noted for its horizontal wage fluctuations. But a horizontal increase of 10 per cent was made, and some form of bonuses given, with the hope that it would stimulate production by a volume sufficiently large to show a net decrease of cost. Yet, regardless of these changes, the net loss for the first year of the new management was about $600,000. To be sure, this was a decrease of somewhat near a million dollars and, while it showed promise for ultimate success, it was no occasion for high elation. At the close of business after six months' operation the second year, no other alternative appeared to the management than to reduce wage rates. A conference of the executives and foremen was held. A review was discussed of the economies effected in the year and a half. There appeared to be no other way to change a balance in red ink to a profit in black ink other than changes in piece rates and hourly rates sufficiently large to overcome the annual deficit. The company had maintained a reputation, almost since its inception, of paying the highest wage of any engaged in the industry. It was felt by this management and previous managements

that any drastic cut would destroy any possible value in this reputation for paying the highest wage. The executives, however, decided to take a chance, and the foremen were each directed to revise the wage schedules in his department. Methods were left to the individual judgment of each foreman, the only condition being that the result of their concerted action should speedily wipe out the deficit in operating expenses.

This imposed a severe test upon the ability of foremen. A uniform percentage cut—the easiest way—appeared to be impossible in many of the departments. Many of the foremen changed the rate on the individual according to the former's judgment of the skill and ability required in the operation. When the new rates were announced the foremen were accused of showing favoritism. These accusations were given widespread consideration, for the reason that the cuts ranged from nothing to 40 per cent. That is, no change was made in the wage of one person, while another suffered a cut of 40 per cent.

The new rates were the occasion for discussion among the employees in several departments of the factory. A skilled worker of conservative habits was selected as spokesman in one department. After the foreman had explained that the rates as made must stand, as far as he was concerned, a request was made to see the manager. The latter was invited to come up and talk to the group.

"I'm no orator," he replied. "Tell them to select a committee and come down to see me."

The employees selected a committee of fifteen. When the manager was informed that this committee was ready for conference, he objected to seeing it on the grounds that the committee was entirely too large.

"Tell them to pick two or three of their number and bring them down," was the reply.

This scared the employees. While they felt there was safety in numbers, no one cared to serve on a committee of two or three. Each suspected that he might be the target for discrimination later on. There was some basis to justify the employees for this state of mind. A few months before a number of employees in the machine shop had joined a union. One or two of their number, who, it developed later, had been active in inducing others to join, were laid off, and later a large part of the shop was shut down. For several months the fate of these men had been impressed on the minds of other employees by those unfriendly to the management. The extent of this unfriendliness had been widened very materially by the wholesale discharge of several of the executive and clerical force. Each executive and employee summarily cut off from the payroll was an organizer for discontent. It was a small city and an old plant. The workers themselves, by environment and occupation, were of the highest class. It was not unusual for the family of an executive to be on friendly terms with a workman. Acquaintance in the factory was augmented by intimacies in lodge rooms, church work, and tea fights. The drastic changes by the new management gave rise to the statement that "financial pirates" had got control of the watch factory and would "clean out everybody." Therefore, in these circumstances, it was not abnormal for an employee in any department of the factory to be reluctant to act on a committee representing other employees. He himself was prejudiced against the company, and, naturally enough, it was easy enough for him to conceive that the company would be prejudiced against him in any place where he, acting in the interests of other employees, advocated a change in the company's policy.

So, after the manager had practically denied the right of the employees to determine the size of a committee for a

conference and, reading into such declination a sinister aspect of what they believed a "financial pirate" to be, many of them decided to walk out. It was not a concerted action; there was not any leadership, as leadership is reckoned; no order was given to strike, nor was there any meeting at which a strike vote was taken. It was a normal, voluntary act by hapless individuals in a state of confusion angrily retaliating against what seemed to them an immovable force whose sinister power had arisen to torment and crush.

"What can we do now?" was the concerted question, but the employees did not act concertedly.

"What are you going to do?" one employee asked another.

"I'm going to quit," was the reply.

This struck a note that sounded good, soured as they were by a fancied rebuff and an environment of suspicion.

"So am I," said another.

"So am I," echoed others, and they left the factory.

The news of their going spread through the other departments of the factory and made a profound impression. Numerically, they represented a small number of about 3,000 employees, but they were among the highest skilled, oldest in service, and furthest removed from any taint of radicalism. Employees in other departments quit work and went out. As their numbers increased, an association was formed, and the walkout became a strike which was participated in by over 2,500 employees out of a total of about 3,000. They selected a president, vice-president, and secretary, who also served in like capacities on an executive committee comprising eighteen members. The strikers rejected opportunities to become affiliated with responsible labor organizations, but permitted international representatives of the polishers and machinists, whose members in the shop

were affected by the strike, to sit in their meetings and to proffer advice and counsel to the committee. Resolutions were drafted, accepted by the strikers, and presented to the manager.

The resolutions and the company's reply contained many things that appeared pertinent for the parties to talk over, but no endeavor—if one was made—was successful in getting both sides together in conference. Finally, an appeal was made to the Secretary of Labor at Washington, and he assigned a commissioner to act as conciliator in the dispute. A conference was arranged between the president of the company and a committee representing the strikers. It was the first chance members of the committee had had to meet the "financial pirate," who was reputed to possess more varieties of torture than any other "financial pirate" in captivity. The first conference lasted from 4:30 o'clock in the afternoon until 10 o'clock in the evening. After the parties met the commissioner withdrew. He had previously informed the committee that such action would be desirable, and explained that the committee was likely to get more from the president of the company in the way of concessions, for the reason that the latter might assume that the committee would think that any concession he might make was because the commissioner was present.

After the conference the chairman and one or two others of the committee reported progress to the commissioner at a hotel.

"We didn't accomplish much," they reported. "He refused to accept our resolutions."

"Wouldn't he concede anything?" the commissioner inquired.

"Well, he suggested that we might organize a permanent shop committee in the several departments, and a general shop committee to which might be referred any question

that any department committee was unable to agree on. If the committee and manager failed to agree, the president of the company could be called in, and whatever the issue was, it would be determined by agreement."

"Why, that appears to be a means by which you can iron out your difficulties," the commissioner remarked.

"But it doesn't settle the wage rates," they objected.

"But it provides a method by which you and the company can jointly determine the wage, by agreement or by some form of arbitration."

The point, however, appeared obscure.

"Where did you eat?" the commissioner asked.

"Oh, we haven't had anything to eat—"

Just then the employer, who had seen the commissioner and members of the committee talking together in the office, came out of the dining room.

"Why the devil didn't you take the committee out to eat?" the commissioner asked.

"I wanted to," the employer replied; "I offered to send out for food, take all hands to a restaurant, or hire a room in this hotel and have food sent up, so that we could eat and talk at the same time."

"Why didn't you accept?" the commissioner asked.

"Oh, it wouldn't look right," the chairman of the committee opined. "The people out home would think it was funny if we had dinner with the employer."

The commissioner patiently explained that it was one of the cardinal principles in employment relations when a conference took place in a hotel or in a place at a distance from the homes or regular eating places of the representatives of the employees, it was up to the employer or group of employers to provide food for the crowd.

It is an occasion which is always hoped for by representatives of organized labor, because it has been the means

of securing many a valuable concession, and it further provides an occasion for a stock joke always sufficient to get a laugh by asserting that "they are getting something out of the employer, anyway."

Another conference was arranged to take place the following Friday evening in the president's office at the factory. Pending this conference, the committee further considered with the commissioner suggestions made at the first one. The assertion that these suggestions contained merit gained ground, and members of the committee began to see that it was a means of clearing up the matters in dispute in the controversy, and also that it provided a permanent method most likely to insure the workers and company against a repetition of such trouble in the future. At this conference both sides went forward in harmony in working out a plan of relationship. An understanding was reached by which the employees in each of the several producing departments would elect seven of their associates as a committee to represent them in any controversy arising.

The committees so elected were then to select a general committee of seven, to which might be referred a grievance unadjusted by any departmental committee and the foreman. The company executive would join in conferences with this committee. If such conferences failed in adjusting the differences in dispute, the questions under consideration would be taken by the committee to the president of the company. If they did not settle it, a way was open for the parties to agree on a further method of settlement. The objective of this plan was to provide a better method of establishing, conducting, and maintaining fair and better employment conditions. Its authority, derived from the cooperation of the parties, was to be found in terms of an agreement signed by representatives of the association and the company. It was a unity of interest, useful to both

alike—the means by which grievances of any description could be immediately considered without resort to strike or lockout.

Having reached this agreement on a plan governing their relations, they entered into a discussion of the change in wage scale which had moved the employees to walk out. The net result of the "nothing to 40 per cent" cut had been a decrease of 9.04 per cent in the payroll which, at that time, was about $79,000 a week. The employees suggested that women receiving $20 a week or less, and men receiving $40 a week or less, who were affected by the reduction, be restored to their former wage rate; that those receiving a wage in excess of $20 or $40 accept the rates as made.

The committee urged the president to grant this concession, for the reason that it would be more readily grasped by the workers when the committee made its report to the body. It was pointed out by the committee that the present dispute over wages, and all other matters in controversy, would ultimately be worked out by the committees formed under the plan of representation already agreed to. They further explained that it had taken them several days to grasp the advantages contained in this method, and it would be difficult for them to explain it at one meeting of the strikers who had not had like opportunity to study the plan. The workers would readily recognize a concession in wage where they might fumble in understanding the advantages of a shop committee handling grievances in the plant. They clinched it by saying that the strikers would regard it as a friendly gesture from the company sufficiently appealing to inspire them to face the new conditions with enthusiasm.

"We'll show you a production that will enable you to meet competition and go them one better," the committee promised. These arguments made a profound impression on the president. He had before him a vision of elated

workers returning to their jobs with a sympathetic understanding of the company's position and with enthusiasm that would induce them to tear into the work and produce a profit. He saw a big factory abounding in good will, an increased flow of watches going out into the world to bring a return that eventually would wipe out the indebtedness, and a resumption of dividends to revive the confidence in the minds of some two thousand stockholders.

Neither he nor the committee knew to what extent the suggestion of the committee would affect the payroll. The president called the payroll department into action, and it started to make an examination. While this was going on the conferees at midnight went out to the company kitchen, prepared a supper, and ate it together. At 2:30 o'clock in the morning the payroll department had completed less than half of the necessary examination, and the conference adjourned until five o'clock in the afternoon. The president told the committee that if the examination showed but a slight difference between what the committee suggested and what the company had to have, he would not haggle over one or two per cent.

During the day the conference committee reported to the full committee, and it appeared to everybody that a settlement had been reached. There remained only a meeting with the president of the company at five o'clock, and a meeting of the strikers later in the evening to consider and accept the agreement as worked out by the strike committee and president of the company. Even the veteran commissioner from the Department of Labor recognized the element which presaged the end of the strike, and left for home after receiving a rising vote of thanks by the committee for his helpfulness in arranging the conferences.

When the conference was resumed at five o'clock, it was found that the payroll department's examination showed

that the committee's proposal, if adopted, would reduce the wage cut from its average of 9.04 per cent to 4.03 per cent, or more than half. This was disappointing to the committee. In making the report to the full committee earlier in the day, it was strongly implied that the examination would probably show perhaps three or four per cent from the net cut of 9.04 per cent, and the assurance given them by the president that he would not haggle over a cent or two, gave the speakers confidence that the net cut would be somewhere around 6 per cent. The committee urged the president to stand by the result of the examination which, if adopted, would be about 50 per cent reduction in the wage cut. The employer met this about halfway by offering 25 per cent, making a net average per cent of 7.05.

Failing in its efforts to change this decision of the employer, the committee went to the meeting place and presented its report to the body. Two members of the committee proceeded to analyze the report in a manner most likely to detract the minds of the strikers from its advantages in a manifest endeavor to prevent them from giving it fair consideration. They made it appear that the president had gone back on his word. One of them, who had found the strike a means to develop an ambition to become an orator, exercised this gift in a denunciation of the employer that aroused in the strikers a desire to retaliate for what they thought was a personal affront. The concessions were voted down almost unanimously.

"We'll have to go over now and tell him the action you people have taken," one of the committee announced.

"We'll go with you!" some one in the hall shouted.

"All right, come on," the committee invited.

More than 2,000 strikers, augmented by curious bystanders, jeering and shouting threats, paraded in mob formation to the door of the company office. A few members of the

committee went in. One of them exclaimed: "We presented your proposal to the body, and there's your answer!"

The president looked. Before the office and as far as he could see in the night, a seething mass of faces, distorted with rage, confronted him. From every side came groans and hisses. Opprobrious remarks and threats were shouted, and other manifestations which added clamor to the mob scene, staged by men who had boasted of their one-hundred-per-cent Americanism. The committee went out and shut the door. It never opened to them again. The commissioner hurriedly returned and endeavored to mend the broken parts. He found the committee smarting from the sting of a changed public sentiment. An amazed community, having knowledge of what the strikers had rejected, and the unmannerly way in which its rejection was announced, turned public sentiment unanimously against them. The committee stubbornly refused to change its attitude, probably because it was fancied that any change would be construed as an admission that members of the committee had committed a serious error. The committee announced that the strike would go on and would continue until the employer gave in, if it took all winter.

"Don't come soft-soaping around me any more in this matter," the employer told the commissioner. "No more conferences, no more negotiations, no more conciliating, no more mediating. It's all over."

It was. All recognized this, except a few members of the committee and their loyal followers. Five months after the strike was started, it was called off. The strikers returned without any wage concession. As a condition precedent to their employment, each striker had to sign a card and register at the office stating whether or not he belonged to a union. Each was obliged to accept a vague promise contained in the assurance that "the foreman will send for

you if needed." No recognition of the right to collective bargaining was given. The company announced that after a reasonable time had elapsed, and the plant was running normally, it would consider "some plan of shop representation if a majority of employees so desire."

For this the strikers had rejected a wage concession, recognition of union association, the right of the employees to act concertedly through shop committees, and a working agreement signed by the company.

I have outlined this controversy in considerable detail for the reason that it is a good illustration for the guidance of those who are inexperienced in negotiating an agreement. Errors were made by the committee, which, if committed by an experienced labor organization, would cause its members to bow their heads in shame.

The employer did not deceive the committee; the committee deceived itself, and likewise deceived the strikers. They believed what they wanted to believe, accepting such belief as statements of fact. There was a pleasing altruism in the suggestion that the wage of men receiving less than $40 a week and women receiving less than $20 a week should be restored, because it was advocated by members of the committee who were among the higher-paid classes. They apparently did not realize that having accepted the cut themselves, that they had nothing to lose. The total loss fell on the employer, and he refused to bear but half of it. Members of the committee had talked so much about it, however, that they felt it a duty to press it vigorously. Instead of what they conceived a "financial pirate" to be, they found the president was an everyday sort of man, easy to get along with. It turned their heads. They deluded themselves by believing that he would stand for almost anything. Then, again, they were influenced too much by the thought of what others would think or say about them. They

showed this when they refused to eat with the employer at the first conference. And, again, when they shirked the responsibility to recommend to the body that the concessions gained in conference be accepted. They failed to realize, too, that their refusal in each instance was really an admission of a lack of confidence in themselves. It is difficult for a man to go straight when he fears the opinions of those who might claim he does not.

At the outset the employer was in error. He was committed to a policy of restoring to financial prosperity a concern of moribund habits. In pursuing his attack to solve the problem, he had aroused a prejudice in the minds of the employees long before they themselves were touched by his policies. It is believed that he thought it would be possible to put the company on a paying basis without cutting wages, or making changes in the method of production equally disturbing to the employees. The company was without a personnel or employment division, and he did not create one until after the strike took place. Therefore, when the decision was made to cut the payroll, the foremen were directed to do the cutting. This was a serious error of judgment. A foreman is a supervisory officer in charge of a department. It is his duty to see to it that production goes through in accordance with specifications, and that the work performed by the employees is as near perfection as human endeavor can make it. Under some circumstances he may be used as a medium to announce a change in wage. But in this case he was directed to make wholesale cuts. He made them, and the employees knew that he made them and the way by which they were made in each instance. It put the foreman in a position where he could be accused of unfairness. Perhaps he was the best judge of what was a fair wage, but there was no one to admit it except himself. The failure of the employer to install a personnel department

deprived the company of an efficient way of reaching the employees with a true story of the company's position and a fair representation of its policies. Had he done so, a way would have been found to suitably prepare the employees to expect a wage change and understand the reasons for it. It would have relieved the foremen of responsibility in making a general cut, thus heading off a reason for the employees to make charges of favoritism—always a fruitful source for real or fancied grievances. Such charges doubtless were unfounded, but they were just as damaging to the maintenance of discipline in the departments and just as expensive to the company because, under the circumstances, they were believed to be true.

An experienced personnel director or employment manager would have been the liaison officer to establish a friendly understanding between the employees and the executives. If there had been a form of committee representation, similar to that which was agreed upon after the strike took place, by which all grievances that later came to the surface would have been considered and amicably disposed of—there would have been no occasion for the manager to have put himself in an undesirable light by apparently dictating to employees the size of a committee, a right reserved to them to determine. When he sent word by telephone that he was "no orator," his good-natured flippancy was construed as taunting, which was natural enough. Messages passed back and forth by telephone, the use of which was not politic. Having established an "open door" policy, and invited the employees, through the foreman, to organize a committee which he would receive, it was up to him to receive it, regardless of its size. In haggling over the number, the manager unconsciously aggravated a situation already packed with explosives. It was comparatively easy for the workers, in their state of mind,

to sense a discrimination containing a portent of high sinister content.

The manager was a bright, clean, alert man with a pleasing, democratic personality. His quickness in thinking, that so ably aided him to find a solution in business problems, was rather dismaying to others—especially employees less mentally gifted. Until he has grown older in experience, such a man is likely to give an impression of intolerance to those who fail to see a point as quickly as he does. Sometimes he does not stop to consider the fact that lack of understanding in others is not stupidity, but is the natural process of slow minds unexpanded by experience gained by daily contact with business problems. A workman at the bench requires a longer time to consider a problem that is new to him than an executive who is called upon to face a dozen of them in ten minutes.

But this situation provided a rather clear study of errors of judgment made by competent business men. The reason for it is found in the fact that the minds of the executives were wholly absorbed in the financial recuperation of the company. It was essential that the company recover to live. It meant a continued prosperity, alike beneficial to employees, stockholders, and community. In their zeal to accomplish this, the management failed to realize that the employees did not have their knowledge of the situation. The management was too close to the situation; the employees were too far away. The management knew it so well, and as there had been considerable publicity concerning the affairs of the company, it was natural, perhaps, for it to assume that everybody, including the employees, realized the situation. The resentment the management felt because of the lack of sympathy and cooperation of the employees at the time of the wage cut was unjustified. The only way by which sympathy and cooperation of employees

can be secured is by establishing a confidence in the management. Such confidence is built upon a foundation of frankness, firmness, courtesy, and fairness. It was not possible here to rebuild or complete such a structure in a day. It had been demolished when the old management went out.

The new management was handicapped from the start. The change in policies and the methods used in making these changes, all necessary for the rehabilitation of the business, were of a nature so drastic and radical as to repel a confidence so necessary to the success of the undertaking. The omission of a personnel department at the outset had deprived the company and its employees of a way to meet and consider changes of mutual interest. The company was not opposed to the method. The president of the company was also the head of a big textile organization whose relations with its thousands of operatives were conducted on a plan of shop representation. He appeared to those outside as a very remote person. This was because he talked little and never granted interviews to newspapers. Those who penetrated his shell, however, saw in him a man of generous impulses. He had come up from the ranks, but unlike many who have, he had not lost his understanding of conditions of employment and his human sympathy for the worker. These traits he deftly tucked away when he thought any one was looking. It was his habit to maintain an air of detached stoicism while preparing and doing something useful and helpful to a corporation, its employees, and communities. He was not the type of man who likes to shine in a glow of public adoration, but occasionally something would come to the surface to indicate his trend of thought and action.

As I have pointed out, many lessons may be drawn from this case, useful alike to employer and employees. It pre-

sents a fair study to representatives of employees that will enable them to determine when "enough is enough." An employer may find in it the elements which will warn him that when he is too close to a subject, he cannot see all of it.

Another important fact disclosed is that one-hundred-per-cent Americans can be just as radical in their conduct of a strike as a union comprising a membership of one-hundred-per-cent foreign-speaking people led by Communists!

CHAPTER XVI

What Is a Fair Wage?

Minds differ as to the methods of dealing with industrial disputes, but all reasonable minds are agreed that people are tired of strikes and lockouts. A trade agreement once entered into between an employer and employees should not be violated. No matter what the occasion, it is nevertheless a contract and should not be broken. It is not necessary for employees whose relations with an employer are defined in a trade agreement to go on strike. The employees who have violated such agreements do more than disturb their own relations; they raise doubt in the minds of employers everywhere that employees cannot be made to keep an agreement if they choose to break it. Strong unions can properly cooperate in an effort to advise the smaller unions to regard a trade agreement as something which should be as rigidly kept as the constitution of the American Federation of Labor.

Arbitration, supported as it is by law and public sentiment, and protecting as it does the rights of both employers and employees, should be made the final resort to determine issues not otherwise adjusted. Arbitration fairly administered is neither a compromise nor a confiscation. The law and usage have made it a scientific method of determining what is fair. It is human to reach for everything in sight, but I find that all that fair employers and reasonable employees want is a square deal and each of them is entitled to it.

When a request for an increase in wage is made an em-

ployer should consider it promptly, grant it, or refuse to grant it, or adjust it by agreement in conference, but should see to it that a decision is not delayed. Employees do not fully appreciate a concession made a month or so after they sought it. If for some reason it has been delayed, the increase should be dated from the time the request was made. If employees are worthy of the increase when granted they were worthy of it when they made the request. Production, too, is disturbed in its usual plan through a factory when the minds of the employees in any department are unsettled by uncertainty as to the date of their request. It may not be any more apparent than the cost of an overcoat in the traveling salesman's expense account, but it is there just the same.

The employment relation is simple. It is an understanding between employer and employee that is reached when the former agrees to provide a job, the method of doing it, and to pay the going scale of wage in the locality; when the employee takes the job he accepts the wage and thereby binds himself to perform the work to the satisfaction of the employer.

Thereafter, when there is any change in the job or the method of performing the work which may be frequently introduced in trades affected by fluctuating styles, the question of wage still remains one of mutual concern. The employer may offer what he believes is fair; the employee may accept it or make a counter proposal. If they do not agree the employee reserves the right to quit the job. But if they are bound by a trade agreement to submit the question in dispute to arbitration it is determined by a third party.

The question "What is a fair wage?" is always arbitrable. So, too, are hours of labor and certain conditions of employment. The latter, though, may be pertinently con-

sidered in connection with wage. Questions relating to sanitary or safety conditions are not arbitrable; they are regulated by statute; a state or municipal inspector is the proper "arbiter" in determining and arranging these conditions. The method of performing work is usually not arbitrable. The right of an employer to adopt any method he chooses should go unchallenged. Yet a change in method may affect the earnings of the employee; therefore the question of method becomes pertinent but only in its relation to wage. A wage is fixed "for the work as there performed." A change in method is a change in the work "as there performed," and thus becomes a proper part of the subject-matter in considering a new wage.

I have consistently held during my service as State and Federal Commissioner that the question "What is a fair wage?" is arbitrable whenever such question is involved in a labor dispute. Only once has this opinion been disputed and this by representatives of an association of employers who were bound by agreement to arbitrate wage disputes with their employees. The United Building Trades Council and the Building Trades Employers Association of Boston in 1925 had adopted the following proposal made by the employers:

> That without equivocation the Building Trades Association will not sign an agreement embodying an increase in wages. The B. T. E. A. will sign a three-year agreement with the first year wages as at present in effect, that wages for the second year shall be determined by arbitration at the beginning of the second year period, that wages for the third year shall be determined by arbitration at the beginning of the third year.

This proposal was designated as the "peace pact." Upon being informed of the acceptance by the Council of the proposal, the locals comprising the Laborers District Coun-

cil, said to be in excess of 5,000 members, went out on strike in an endeavor to increase their wage. The laborers, however, offered to return to work provided that their demands be given consideration by a board of arbitration selected by the parties. The Council supported this appeal and requested the Employers Association to join in such arbitration. The employers refused, giving as a reason that under the terms of the "peace pact" no arbitration could go forward before April, 1926.

Having knowledge of the threatened strike, Commissioner Wood called the parties together in conference on June 26, at which time he invited the parties to join in an investigation conducted by the Department of Labor. The invitation was accepted on June 30 and the parties agreed to assist in the investigation and give fair consideration to the report and recommendations of the commissioners. Thereupon, the employees were requested to return to work and the employers to receive them back without prejudice or discrimination. These requests were granted.

The investigation, conducted by Commissioners Brown, Liller, and Wood, was opened on Tuesday, July 7, at the Council Chamber, Boston City Hall, at 10 o'clock in the forenoon and closed at 1 P.M. on July 10. The commissioners found that the laborers were justified in believing that certain concessions in form of bonuses or other wage increases or promises of such increases had been granted to certain workmen of other crafts by employers holding membership in the Employers Association, and such belief substantially influenced them in seeking similar wage concessions by means of a strike.

Other data was presented relative to wages paid to laborers in the building industry here and elsewhere, but the commissioners held that the issue was whether or not either party may request a submission to arbitration of any

dispute not otherwise adjusted under the terms of the so-called "peace pact." In this connection the employers declared:

> If the Building Trades Employers Association, under threats, now granted immediate arbitration on the question of an increase in wages to the laborers, it would, by this very act, place itself instantly liable for breach of contract, to all the trades who have signed their trade agreements in good faith without any such special consideration being permitted them, as immediate arbitration for higher wages.

The commissioners did not hold such opinion. Arbitration in labor disputes is never untimely. Its growth in the building industry should be encouraged, not retarded by technical limitations. The parties in this dispute, having adopted arbitration as their method to determine wage disputes arising in the future, should resort to it at any time. The principle of arbitration does not require ageing to improve it. A request for a change in wage may be untimely and without substantial merit or it may be fair and meritorious, but, whichever it may be, it is arbitrable and a board of arbitration selected by the parties should be depended upon to measure and determine its merits.

A fair wage is the one fixed by an employer and his employees by agreement in conference or one awarded by a board of arbitration after hearing the parties and making an examination of the conditions under which the work is performed and comparing the result so obtained with the going rate of wage, methods and conditions in competing industry.

An application, in proper form, contains a concise statement of the controversy and, if relating to wage, what the employees ask and the employer offers. In joining in such application it is not unusual for employees, through their

representative, to ask more than they expect to receive and employers offer less.

The theory is that an arbiter will be correspondingly influenced.

A better way is to ask or offer what seems reasonable and fair. This will serve just as well to gratify an inherent "trading instinct." A demand for a big increase invites speculation as to how little the employees will be satisfied with.

The fairness in a request for higher wage depends largely upon the work required and performed, the hours of labor, the conditions under which the work is performed, and the going wage of the industry. The financial conditions of the business are not pertinent reasons for advancing or decreasing a wage. If the product of an employer is not profitably marketed, it is not a good reason why going wages should not be paid. An industry which cannot be operated without the advantage of paying less than a living wage to its employees is unprofitable in any community and should not be encouraged. And, by the same token, a surplus in the treasury should not be the mark to shoot at in arguing for an increase. A company may be rich or poor, but neither condition is pertinent in considering what is a fair wage.

Although many trade agreements contain a provision granting to a discharged employee a right of appeal to a grievance committee or to a board of arbitration, it is not a proper subject to be considered or determined by a third party. No other authority than the employer's right to discharge should be recognized. He is the sole judge of the fitness and capacity of an employee. This is the most important fundamental in employment relation. When it is permitted to refer to others the question of whether or not an employee has been wrongfully discharged, a fundamental is subsidized by infringement and the authority of the em-

ployer impaired by dividing it with a third party. I believe there is some principle of law in contracts that what is fair to one party is of equal fairness to the other. Therefore, I have often wondered what would happen if the inalienable right of an employee to quit his job was hampered by an article in a trade agreement that gave an employer the right to have him returned to the job he had left.

It is really an injustice to employees when an employer relinquishes his sole right to determine their fitness and capacity. By sharing this right with others he encourages employees to believe that it insures them against permanent discharge. This lessens a discipline absolutely essential in employment. It is strikingly open to abuse by those who intend to use it so. Such abuse was made the occasion of a public reprimand to the trustees of the Boston Elevated Railway by Governor Fuller in 1928. A motorman taking a curve at too high a speed wrecked the train causing death and injuries. It was found that the motorman had been repeatedly reported for carelessness, had been discharged and restored to employment by a form of arbitration which denied to the superintendent a right to make stick a discharge for cause.

A great majority of employees do not require the fancied protection of having a "discharge for cause" submitted to arbitration. Those who do are better off without it. If this motorman had not been repeatedly protected by this form of employment interference, he would have learned to depend more upon himself to keep a job. At least he would have been spared the disgrace of a public reprimand that went from coast to coast.

Naturally arbitration is adopted by parties bound by a "closed shop" agreement. It is necessary. It is a vent through which the parties find a means of escape when minds are deadlocked. It is generally assumed that em-

ployees on strike will accept arbitration as a means of settlement. This assumption is based on a conclusion that if they do not, a public sentiment, which is committed to arbitration, will hold them responsible for refusal to accept this fair method to adjust the dispute. The theory works out well in practice, but occasionally representatives of strikers decline to join in an arbitration or "stall off" an answer which would commit them to do so. A reason for this objection is usually found to be that the representatives believe that it would halt a process of increasing the membership of a union. Many labor leaders regard a strike as a good way to organize. By inciting among employees a state of mind which causes them to believe that the only way they can "beat" the employer and make him "come to time" is by joining the union. They accomplish the end sought.

The officers of a labor union have a man-sized job on their hands. The welfare of union government rests mainly upon the quality of discipline preserved by the body. If it keeps its agreements with employers, abides by the awards of any arbitration it voluntarily enters into, and uses its resources to promote the individual comfort of its membership, it is making a splendid contribution to the industrial welfare of the country. In the days when unions appealed to employers to grant arbitration public sentiment went out to them without stint. The issue was won by the union. Some form of arbitration is the accepted method of determining disputes not otherwise adjusted in nearly all industries where organizations are recognized. But having gained this protective advantage, several unions have weakened their positions and brought discredit to the labor movement by violating its provisions.

There are some notable cases in which unions have been disrupted, industry seriously disturbed, and public confidence shaken in collective bargaining because of such vio-

lations. By espousing the principle of arbitration, unions win public sentiment as well as the cause, but they lose this sustaining influence when they reject the principle after winning it. Having gained possession, it is human nature to lose ardent interest in a thing one has long pursued. And a proposal to arbitrate loses some of its appeal when the other fellow advocates it.

The chief barrier in disputes is the inability of one party to convince the other by argument that his viewpoint is right. Seldom has either been convinced. Each rather hopes to find a mental halfway house, but neither tries to do so because of the fear that the other will stiffen up on the assumption that his opponent is weakening. This is an opportune moment for a third party to come in. There is a chance then that argument will be succeeded by reason.

Negotiations are impeded so long as the system of either party is alive with forceful microbes of hate or anger. It is mighty difficult for two parties in controversy to sit down together in conference and conduct a businesslike session when each is ransacking his vocabulary for words of meaning and force to dismay the other. It is not at all helpful to the interests of industrial peace.

"I would not consent to meet any damn labor agitator if my mother asked me to on her dying bed," an employer expostulated when I asked him if he had conferred with his employees or their representatives.

The chairman of the committee of employees was no less picturesque in his opinion of the employer. "Meet him? Sure, I'll meet him," he agreed; "and when I do, I'll pull his hair with one hand and punch his face with the other!"

Parties holding these opinions have to be given treatment—just plain treatment. I simply sit in with each side and listen. When the violence subsides from sheer weakness, I prod it up again until convinced that it has spent its

fury and then the conversation is led into saner channels. While I am hearing all the bad things each says about the other, I am looking for the good points in both.

After a few hours, the parties, having divested themselves of the dynamic influences of fury, are ready to proceed with the regular business. Commissioners of conciliation of the United States Department of Labor act as reservoirs into which may be poured a whole lot of reactionary talk, which does them no harm and relieves the disputants beyond measure.

It is tedious, of course, listening to a lot of expressive words, but it is all a means to the end, which is industrial peace. And some men do like to talk—especially when they can address an official who by act of statute is designated to listen with interest and tolerance.

We make every endeavor by means of conciliation and mediation to induce the parties to agree. We are of opinion that an agreement made by the parties in controversy is much more satisfactory than an award made by any board of arbitration.

But we urge that the parties do something—either agree between themselves or agree to submit the matters in dispute to arbitration to be determined by a board selected by themselves. A Committee from the Master Builders Association in a large city was discussing the feasibility of submitting to arbitration the questions involved in a threatened strike, and thus prevent an interruption in the normal conduct of a trade.

"To hell with arbitration!" objected a big-fisted master builder who employed three carpenters. "Let the help strike, and we'll lick 'em so hard that they won't strike again for three years."

"But why have a strike in three years?" the conciliator inquired. "Why not insure your business against interrup-

tion now and in the future, by making an arbitration agreement with the employees?"

"I don't believe in doing business with any such soft soap. I want to run my own business without dubbing around with arbitration, which means giving the help something every time they holler. Beat the stuffing out of them now and they will be glad enough to work. Learn them a lesson that they will remember for years."

"How long has it been since your last strike?"

"Two years ago last May," one of the other master builders replied.

"How long did it last?"

"Six weeks."

"During that time did you conduct your business in a normal and usual way and to the normal and usual extent?"

"Of course not. We did what we could with such help as we could get, but we finally compromised with the strikers, and since then there hasn't been any trouble until now."

"How much did it cost you?"

"Cost enough, all right," another man muttered.

"If this strike takes place have you any reason to believe that the trade will be free from strikes in the future?"

"Fight 'em to a finish now. Bust their union, and they will get their belly so full of trouble that the future will take care of itself," the first speaker shouted.

His counsel prevailed. In the Builders Association were two or three large employers of men who favored arbitration as an efficient method of determining the dispute. But a majority in the association comprised employers of three or four men like the big-fisted contractor, and whose capacity was limited to the erection of tenement houses. The big employers were outvoted.

The strike took place. Industry in the building trade

was practically enjoined for two months. Contracts were unfulfilled, those in contemplation suspended, public and private enterprises disturbed, simply because a few men had not outlived the stone age period of dealing with employees.

Subsequently the strike was settled on about the same terms which might have been agreed to before it occurred. There were two months of wasteful disturbance to the parties and to the public. Nobody gained anything but everybody lost something. The employers did not recover the time lost to production. The employees could not spend the wages they did not get, and the public never retrieved its share of the expense incurred.

Employers associations are helpful where the members are dealing in large enterprises. The bigger the employer, the more likely he is to have a broad and reasonable understanding. Associations like that referred to are "lop-sided," detrimental to its members, employees, and the public, because of the danger to those most vitally concerned. Here is an association of 20 employers. Three of them employ more men than the other 17 combined. But they are bound by a majority vote. They and two others voted for arbitration, but the other 15, who individually had little at stake, voted against it.

It is possible, of course, that a personal desire to profit at the larger contractor's expense may have had some influence on their minds, as was intimated at the time. In the event of a strike, a builder who works himself with two or three employees is not as handicapped as a contractor employing ten times that number.

Therefore, it is not generally recognized as good business judgment to be bound by an association unless the members thereof are substantially equal in equipment and financial responsibility.

There was a case like this in the same city where the

same attitude was taken by the small employers. The business of one employer whose number of employees exceeded those of all his associates was tied up for several weeks. He could not deal with his employees without sanction from the association and he feared to act independently. So he permitted a few "piking" associates to "run his business" at a loss of thousands of dollars.

This was one of the reasons why the duration of the New Bedford textile strike in 1928 was protracted. Members of a manufacturers association controlling twenty-seven mills, having adopted an agreement to impose a 10 per cent cut in wages, later found it necessary to select one of two alternatives: give in or compromise. At meetings prior to the cut several manufacturers said they were confident that the employees would follow the example set by the operatives in Fall River three months before and accept it. Among others were those who believed a cut unnecessary, but yielded to the wishes of those who thought they were in direful need of the saving in expenses which a wage cut would yield. Manufacturers who were energetic and efficient and conducting their establishments at a profit were not, of course, unmindful of the benefits to be derived from a saving in labor costs; but nevertheless they were unwilling to go along with those who felt they actually needed it. But they did.

The prolongation of the strike was a serious embarrassment to them. To some the losses ran into thousands of dollars a week. They protested hardily by urging their associates to give in, but the latter counseled them to be patient, that "something is going to be done soon." Reports of these diverse views came in convincing form to the leaders of the responsible unions and it stiffened their backbones. For weeks it was momentarily expected that certain of the manufacturers would break away from the associa-

tion, renounce the 10 per cent cut, and start up their mills. It was really surprising to find the large number of influential citizens who actually believed that this break would take place.

While it was true that a number of the progressive manufacturers were restive under the conditions, sorely impatient with their associates, suffering tremendous losses by reasons of inability to take and fill orders, they were held by the binding forces of their associations. There was not anything else they could do. They resided in the same city, were members of the same clubs, families joined in social activities—all the daily associations which tie together human equals in friendly contact.

When workers leave their fellows and return to work while a strike is on, they are labeled "scabs"—social outcasts in labor circles. A manufacturer breaking away from his association in such circumstances must run through a similar gauntlet of scorn. One must be devoid of sensitiveness, stolidly impervious, who chooses to pass through this lane of mental torture and expects to come through unscathed.

Men who consent to permit an association to conduct their business must learn to make such association an efficient body to so conduct it. A good union reflects the quality of its membership; so, too, does a manufacturers association.

Chief Justice William H. Taft, ex-President, one of the joint chairmen of the War Labor Board when it functioned during the World War, had a surpassing capacity to grasp and ever keep before him the fundamentals necessary to maintain industrial peace and protect the public from the wastefulness incurred by strikes and lockouts. As a promising outlook for the New Year of 1929 he declared:

The constant extension of voluntary conferences between employers and employees, and the growing use of mediation and arbitration as a means of settling industrial disputes, seems to indicate that the day may soon come when the old, wasteful methods of industrial warfare will be practically abandoned for more intelligent plans of adjustment.

The actual cost of a strike to the parties and the public cannot be accurately determined. While the cost to the parties can be fairly estimated it still remains an estimate. The cost of a strike has far-reaching possibilities. For instance, there was a strike of fishermen employed by a large corporation. It was settled at a conference between the general manager and a committee of four, representing the employees. The men returned to work and the ships left for the fishing ground. When they returned, two employees who had been active in the strike were discharged. The men were informed that it was by order of the general manager. They went to him for an explanation. He told them that they had been leaders of the strikers and he did not consider that they were fit persons to be held in the employ of the company. He also intimated that there were about twenty-five more of the men that would be discharged for the same reason as soon as he was able to pick them out.

This action and threat so incensed the men that another strike was called; as fast as the ships came in the men were called off.

The general manager admitted that he discharged the two men because of their acts during the first strike and that their discharge was the result of an understanding which he had had with the committee of employees. He claimed that the committee admitted that the two men in question were not entitled to employment but that it would be better for all concerned to take them back with other employees when the strike was called off and discharge them later. The

official of the company acquiesced and became a party to this scheme.

This was something new in employment relations and naturally the disclosure did not increase the standing of the general manager either with the employees or the directors of his corporation. It is an unwritten law that a settlement of a strike purges the striking employees of any acts which may have been a source of irritation during the time the strike was on; therefore, when a strike is declared off and the employer agrees to restore the men to their former positions without prejudice, it is all over and both parties turn over a new leaf and start fresh.

Whether or not the agreement between the general manager and the committee of employees was actually made as a result of a suggestion on the part of the members of the committee, the former was the only one who could be held culpable; naturally the members of the committee denied knowledge of such an agreement. The general manager, having admitted that he was a party to a scheme, which can only be described as malicious and underhanded, had to bear the burden of contumely and the loss of confidence in him as a fair employer.

He said the public was not concerned in the strike; that it was a private dispute of a private corporation in dealing with its employees in a private way. The error in his viewpoint is manifest. As a result of the second strike, which came about solely because of his violation of a strike settlement, the price of fish in this community advanced four cents a pound. As there are over 2,000,000 pounds of fish consumed here each week, the act of this man can be said to have cost the public $80,000. Therefore, it is quite apparent that the public is concerned in the relations between employers and employees when they hit the pocketbook.

An employer, who, concertedly with other employers,

had imposed a horizontal cut in wages, was complaining about the newspapers. "They print everything the strikers do and say," he said. "Big headlines, too. If they didn't give them so much attention the strike would peter out and the help come back. Why do the papers do it?"

"When things are normal and peaceful what happens when you meet the business agent on the street?" I answered by asking another—like a good Yankee.

"Why, we say 'hello'—sometimes stop and shake hands. Pass the time of day. We are friendly, you know, except at a time like this."

"That's just it," I explained. "Figuratively, you have met each other on the street and started a fist fight. Every one in sight dashes up and people pile out of buildings to see the scrap. It is war. No one pays any attention when you and the other fellow shake hands. That is peace. A newspaper measures its news values by a yardstick of public interest. Your strike is a labor war. The public is interested and the newspapers play it accordingly. It is their legitimate function."

"But they criticize us in their editorials. It's none of their business what we do with our plants," he insisted.

"You are wrong if you hold that opinion," I continued. "It is true that you have developed a big business by your own industry and integrity; you have expanded until hundreds of employees are dependent upon you for their livelihood, and the community has grown to depend upon you to furnish those hundreds of employees with a livelihood. In building up your industry you have assumed civic responsibilities which you cannot evade. You owe it to the community to make every effort to deal with your employees fairly and justly. They are entitled to it, and the community is entitled to it in return for what it has furnished

you; what it may be called upon to expend for your protection."

"But I pay taxes for all that."

"The taxes you pay are no greater in proportion than others pay, less in some ways; and it provides you with the insurance of a civilized government. It may cost the community a million dollars for welfare work and extra police protection. Of course the newspapers and public are interested—it touches their pocketbooks, disturbs normal business. That is why the Federal and State governments employ commissioners and given them authority to help settle labor controversies and prevent strikes."

There are conflicting views as to when a contested strike is ended. There are employers who hold that employees out on strike are no longer in their employ. They are in error. Statutes and custom recognize them as striking employees. A strike exists so long as those who strike maintain an organization, or, by concerted action, continue in the endeavor to secure the object which they seek to attain. A strike may be declared to be ended when they have returned to their places of employment or their places have been filled by others whose competency is appraised by expense and production. If an employer is able to show that production is going forward in a usual and normal way and to a usual and normal extent at a labor cost substantially what it was when the strike occurred, it may be declared that the strike is over.

The Constitution is set up as a defense when any one ventures the opinion that there ought to be compulsory arbitration; that strikes ought to be prohibited by law; that labor leaders ought to be jailed; that employers should be compelled to pay what the employees asked; and all that sort of thing.

There is a clear obstacle to dreams of this kind. No

employer can, or should be, compelled to employ or continue in his employ those whom he deems incapable and unfit to perform work to his satisfaction. And no employee can be, or should be, compelled to work for any employer. Such conditions would be contrary to the provisions of the Constitution, which clearly defines industrial freedom.

There is compulsory arbitration in the United States to a greater extent, in fact, than elsewhere; but it is by agreement of parties and not compulsion by statute. A trade agreement made by an employer and his employees, or their representatives, containing a provision that a dispute, not otherwise adjusted, shall be determined by arbitration, compels the parties to resort to this means of settlement. It is compulsory—made so by themselves.

Whenever either employers or unions refuse to be governed by it they commit a breach of industrial peace, an offense against their own form of labor government. Such offense is an offer of proof of inability to govern themselves.

CHAPTER XVII

Government Agencies in Labor Disputes

The best insurance the public has against strikes is the quality of relation maintained within a plant between employer and employees. It does not make any difference whether such plant is "open shop" or "closed shop"; it will be free from strikes so long as the employer respects his employees and the latter respect him. Such respect is cultivated and maintained by spirit of utmost fairness on both sides and by directing the power each side possesses to prevent anything from disturbing the mutual confidence.

As safeguards in support of this relation the federal government maintains the Conciliation Service administered by the Secretary of Labor, through a director who supervises the work of the commissioners in the field.. The several states maintain commissions or boards with more or less authority to conciliate, mediate, and arbitrate. A Federal Board of Mediation was created in 1926 and is maintained to deal exclusively with disputes arising in the railway service.

The Conciliation Service of the United States Department of Labor and State Boards cooperate in all matters of common interest. Occasionally, it is found that members of a state board, or some subordinate thereof, object to a federal commissioner taking up a labor controversy. They seem to be reluctant to work and, being self-conscious, they do not want others to suspect that they are shirking; they are fearful that the entrance of a federal official may cause

comment and criticism reflecting on themselves. In many states the number of controversies are more than a limited personnel can properly cover and the advent of one or more commissioners of the Federal Conciliation Service is sought and welcomed. In major industries, such as coal, food stuffs, shoes, and textiles whose producing units are not confined to one state, the federal service is manifestly important. The commissioner brings to the scene not only expert knowledge and broad experience, but a far-flung service without boundary lines in the United States.

Failures by State Boards to exercise helpful supervision over industrial peace is mainly because they think that the act creating them has given them too few powers—and there are some who appear disposed to refrain from exercising the powers they do have. Really, it is incumbent upon the personnel of a state board to develop a service in dealing with labor disputes that is recognized as useful and thus establish the prestige of respectful attention. Sometimes I wonder if a labor commissioner is not wasting time when he denies that he is "prejudiced." To be sure, a charge of prejudice or the thought of it in the minds of parties in a controversy is militating, but it is neither unusual or a serious handicap to impede a commissioner in his efforts to compose the dispute. Suspecting the motives of others has animated minds of all peoples since the serpent rolled an apple at Eve, but Adam was open-minded—broad-minded, too.

A statute that provides peaceful methods for the settlement of industrial disputes and a State Board of Conciliation and Arbitration charged with the duties of maintaining industrial peace makes for a strikeless state, a condition most likely to establish an employment relation that insures industry against abnormal difficulties and the great rank of workers against loss of wages without interfering with the

constitutional privileges of freedom of either employer or employed.

A long-drawn-out labor dispute stimulates suggestions for the adoption of new methods of dealing with them. The strike of the mechanical forces in railroad shops caused a plan to be advocated by the late President Harding for what might be designated a Federal Court of Industrial Relations. It would be unworkable unless its jurisdiction was confined wholly to nationally extended controversies, and there its usefulness would be dependent upon the support it would receive from the appointing power. A board established in Chicago that tried to make itself a court and impose decrees in railroad labor disputes was put out of existence by Congress in 1926. To determine the value and influence of courts with power to exercise jurisdiction over disputes in coal mining and food supplies is subject for fruitful speculation. It can be done. In fact anything can be undertaken if a majority seek it, and what is accomplished can be maintained so long as a people insist that it shall be.

There was a strike in the packing industry. The only state where the strike did not prevail was in Kansas. The Industrial Court Law of that state was obeyed by the employees of the several plants in Kansas.

This might go to prove that a state law is more effective in dealing with industrial disputes within the state than any federal law. In fact a labor dispute within the state is strictly of concern to its inhabitants. Labor conditions vary with the industries of the several states. Conditions in Massachusetts are different from those in Rhode Island, Pennsylvania, Wisconsin, and any other state. No federal court could possibly deal with disputes in these states promptly and fairly. No law has yet been enacted which will compel employees to work or an employer to employ

them. Employment relation is established by mutual agreement; its peaceful continuance is based upon how well the parties keep it.

The need of state or federal courts with final jurisdiction in all matters of industrial controversies is felt at times. Take, for example, an industry which has been conducted by agreement between the parties on a closed-shop basis and their relations defined by a trade agreement. The maintenance of this agreement has rested solely with the parties. It has not endured. It is now broken. Whichever party is most responsible or blameworthy is purely a matter of academic interest. The outstanding point is that such agreement, created by those who have technical knowledge of the industry, has failed to maintain industrial peace.

There is hardly a trade agreement in any industry which has not been impaired, violated, or wholly abrogated. In nearly every instance the reason for the disturbed conditions is traceable to the misuse of power exerted by one or both parties. Harassed employers, upset by what they regard as unreasonable demands, have thrown up their hands in despair or have lined up to fight. Zealous representatives of the unions offer resistance in the form of statements, taunts, threats, and strikes. Meanwhile the public involuntarily is helping to pay for this abnormal expense.

An industrial court with jurisdiction to exercise authority in all industrial disputes not adjusted by the parties has been seriously considered in all states. The thought was that there should be no limitation in the right of employers and employees to execute a trade agreement, but there should be a court with authority to make them keep it; that the rights of employers and employees to conduct an "open shop" or, if they desire, a "closed shop" should be recognized and the court should have authority to defend it against attack.

It is prudent to bring to this question the best thought of the community and pertinent knowledge relative to all aspects surrounding it. There were many appealing features in the Industrial Court of Kansas which functioned quite successfully for a few years. I gave it some study soon after it was created but its future influence, endurance, and permanency could only be estimated. Later, however, another examination was made upon which to base a fair conclusion. I would not recommend that the Kansas statute creating this court be lifted bodily into any state unless and until the people of a state felt the need of it and had the will to protect it from political interference after it is created. The principle in the law was a defense set up by a people to maintain industrial peace. It provided a court of resort for those involved in labor controversies and gave it mandatory powers of enforcement in all industry clothed with a public interest: food, fuel, clothing, transportation. In their ramifications these utilities broadly cover a public need.

The creation of the court served a good purpose. It was a demonstration of what an outraged people can and will do to those who exert an intolerant show of power. When finished it was pointed to with pride by a proud people. It was the pioneer court of all states and its creation and functions were widely advertised. This was one reason why it lost its influence. It became conspicuous, a source of jealousies over the exclusive authorship of which was claimed by the governor who advocated the act and the lawyer who wrote it. Each had done his part and had done it exceptionally well. A full measure of credit was given both and each to the other, but as time went on a notion seemed to gather in the mind of one or the other that after all if it had not been for him there would "be no court." This led to a thought among the judges that the court, having been

established, could perform its functions without further interest being shown by the governor. As the statute conferred upon him the power to appoint the judges, the governor felt constrained to at least show the constitutional interest of an executive. He did so by filling the place of one of the judges with a layman prominent in politics. And, later on, the chief justice of the court retired. He had sacrificed a lucrative practice to take the job but would have continued to serve, although the salary was only $5,000, had the court been kept out of politics. Changing governors and changing members of the court had caused a descent from the exalted place a sovereign people had given it.

The Massachusetts statute provides, in my opinion, the best prescription for the treatment of labor troubles within a state. With one exception it is the senior of similar statutes enacted in other states, which adopted its form but not all of its substance. The practice of the State Board of Massachusetts at the outset of controversy was to offer its services as mediator in an endeavor to bring about an amicable adjustment. The parties received this offer of mediation in the same spirit as a married couple receive offers of mediation by disinterested parties about the time they have reached the dish-throwing stage; they turn and unite in hurling a few dishes at the peacemaker. The mediator was then at liberty to retire to lick his wounds while the dove of peace cooed sadly. A few rebuffs of this sort discouraged the members of the board from making a personal contact and a form letter was prepared which was mailed to the parties. These, of course, were disregarded. Once in a while, however, after a strike had spent its force, and the strikers were losing, their leaders, recalling the form letter, would appeal to the board. When the latter responded it was too late to do any good. The employer criticized it for waiting until the union asked for help and would assert that

"I've got 'em licked, anyway." And this was usually the truth. He had lost production, suffered overhead cost, and canceled orders. The strikers had lost many weeks' wages. The community had been deprived of so much of its normal prosperity as was represented in the circulation of money flowing from the plant in form of wages and purchased supplies.

As a newspaper reporter and editor, the author had covered many strikes, but the first one he encountered in an official capacity (Member of Massachusetts Board of Conciliation and Arbitration) was that which took place in Lawrence, Massachusetts, in January, 1912. It was a humiliating experience. We saw the Department of State government authorized by statute to deal with a strike beat against a wall of contempt, because the law that created it had withheld a power to enforce a respect for it. It needed such power in order to overcome years of passive submission. At the following session of the General Court a provision was added to the statute giving the board or any member of it power to summons.

The next step was to provide for an amendment to the law so as to insure compulsory investigation and reports placing the blame for the cause and continuance of labor disputes. George P. Drury, a lawyer, and chairman of the Legislative House Committee on Labor, together with the writer of this book, rewrote Section 11 of Chapter 514, Acts of 1909. Naturally, we think this is the best state law relative to labor disputes. Anyway, from 1914 to 1917, when we entered the war it had served to reduce the number of strikes from about 500 a year involving about 100,000 employees to less than 100 incipient ones comprising a total of 5,000 strikers. And this in a state with more than 80,000 employers engaged in diversified industries giving employment to more than 2,000,000 workers. Pursuant to this

statute, the mayor of a city or the selectmen of a town shall at once give notice to the State Board when a strike is seriously threatened or actually occurs. Notice may be given by the employer or employees concerned in the controversy. Information of a strike or a threatened strike may come to the State Board from sources other than those specified. When the board has knowledge that a controversy exists, it must forthwith get in touch with the parties. It ascertains first if any negotiations are going forward or any conference is pending which contemplates an amicable adjustment of the controversy.

If the parties have reached a deadlock and a good understanding has not been effected, the board must endeavor to get them to agree. If the parties are friendly, a conference is arranged and continued, thus providing an opportunity for them to make a settlement. If the parties are unfriendly and a good purpose would not be served by a conference, the board should act as mediator, trotting from one side to the other in an endeavor to establish a better understanding. This is conciliation and mediation—compulsory, too. That is, the board is compelled by statute to assist the parties to the end that they shall be given reasonable opportunity to make their own agreement.

In a majority of cases where the parties make an earnest endeavor to reduce their controversy to a good understanding, an agreement is made. When they fail, however, and will not join in a submission of the questions in controversy to arbitration, the State Board must forthwith proceed to publicly investigate the cause of the controversy and ascertain which of the parties thereto is mainly responsible or blameworthy for its existence and continuance.

The parties are notified to appear before the board and their testimony is taken under oath. The statute gives any member of the board power to summons witnesses, but this

power is seldom exercised; the parties usually appear in response to a notice. Unless a settlement is reached soon after the investigation closes, the board shall make and publish a report finding the cause and assigning the responsibility or blame. It may add a recommendation advising what ought to be done or submitted to by either or both parties to adjust the controversy.

A recommendation does not have the legal binding force of an arbitration award, but it possesses a moral force which is effective—the powerful agency of public opinion. To adapt the phraseology of the late President Wilson, an official recommendation as a result of a finding after a fair, calm, orderly, searching inquiry "is an instrument not of legislation but of opinion, exercising the authority of influence, not of law."

An investigation in Massachusetts contemplates that a searching inquiry shall be conducted in the city or town where the strike or lockout exists. The sessions are open to the public. The member or members of the board sitting interrogate the witnesses. The parties are frequently represented by counsel, but his service is seldom made use of. The controversies do not involve questions which may be the subject of an action at law or suit in equity, so the retention of an attorney is not important. The statute itself presumes that members of the board are intelligent enough to know how to find out the cause of a strike and the reason for its continuance.

Even though the processes of conciliation have failed and the parties in controversy have declined to join in submitting the questions in dispute to arbitration, it does not mean that a public investigation makes impossible an amicable adjustment. Conducted in an impartial way, animated by a spirit of common-sense fairness, a public investi-

gation is bound to serve the best interests of the disputants and the public.

At all times the board is expected to guard zealously the opportunities for settlement. It should remove the sting of personalities which may intrude from time to time, and encourage the parties in an endeavor to better understand their civic responsibilities. An investigation efficiently conducted is a clearing house for industrial disputes. It assists employers in the knowledge that a better policy may be possible, and it teaches employees that the right to strike should be respected as a power in trust, the exercise of which should be the last resort and not by any means the first.

Arbitration in Massachusetts, as provided by statute, is a serious business. It is a voluntary court of resort, to which employers and employees may turn when they fail to agree.

When a change of wage or any other condition of employment is requested by employees, parties to a trade agreement, a conference of their representatives and the employer takes place. If they do not agree, an application for arbitration is signed, containing a concise statement of the subject matter in controversy, and the question or questions in dispute are submitted for the State Board to determine.

After the application is before the board, a hearing is assigned and the parties appear. The burden is upon the party requesting the change to prove that his contention is fair. He goes forward in an endeavor to establish a case which he hopes will result in a decision in his favor.

The other party then presents his reasons in opposition. Members of the board interrogate each party and when it has secured as full a statement of facts as the parties can give, the hearing is closed.

Each party nominates three persons "skilled in and con-

versant with the business or trade" to act in the case as expert assistants to the board. The board appoints one from the persons so nominated by each party. The experts are notified of their appointment and requested to appear before the board to be qualified. They take oath to faithfully and impartially perform the duties assigned to them. They each receive $10 for each day spent on the case and traveling expenses.

The papers in the case are then read by them. They visit the factory to inspect the work as performed, interview the employees in the department to which the controversy relates, and verify statements made at the hearing relative to wages or any other pertinent fact. The experts then visit other kindred establishments within the state engaged in manufacturing a similar or competing line, for the purpose of ascertaining the wages paid if the work performed is similar, more or less arduous, or requiring a greater skill. Any information which is fairly comparative in competing industries is pertinent. When the experts have completed their inquiry, they make a report. The board considers the testimony presented by the parties and the evidence submitted by the expert assistants. The experts are then called in and the board's conclusion is presented to them. Opportunity is thus afforded them to point out any errors of judgment which, in their opinion, may exist in the proposed award.

No decision can be made by the board until it has first submitted it to the expert assistants nominated by the parties. Thus the parties are protected from any serious invasion of unfairness or defective knowledge of facts.

After this final conference with the experts, the board issues its award, which is final and binding on the parties for six months, or until 60 days after either party has given notice in writing to the other party and to the board of his intention not to be bound thereby. Rarely does it happen

that a party resorts to the 60-day clause. In the records of over 3,500 cases of arbitration, only 12 cases were found to have been reopened.

During a strike, especially one which affects broad public interests, measures of relief are sought from all sides. In a panic some believe that a solution lies just over the horizon. Eager minds prescribe hopeful panaceas. A governor is besieged with requests to do something. He may be impressed with opinions offered by an interested party that the disputants will not submit their differences to state or federal departments. One side may claim that the conciliators are unfair to organized labor, the other may assert that they are prejudiced against the employer. Then the governor may weaken and become a party in promoting some plan that ignores and impairs a conciliation department in his own organization.

The trouble lies first in those who seek to evade the knowledge and experience of regular departments or boards. It is not always exerted by those who have something to put over; some are sincerely influenced by rumors that members of a board or a commissioner are politically prejudiced. A reason is sometimes given that the person suggested understands the problems better than experienced mediators; that his social, banking, industrial, or civic standing has given him a compelling prestige most likely to impress the parties in dispute. Any reason is considered a good one to use in an effort to convince a governor to appoint some one who hankers to shine in the limelight of a big strike.

Obviously, industrial peace cannot be successfully maintained unless authority to deal with labor disputes is left to those upon whom such authority is conferred. The special appointment of an individual or a committee when made may have seemed expedient to a chief executive, but as such it has not been helpful to the public interest. Hav-

ing been created by statute to use their good offices to conciliate disputants in strikes and lockouts, federal and state agencies should be supported in their authority to do so by all executives without stint or reluctance. With this support established, these agencies will have little difficulty in securing the cooperation of all fair-minded employers and representatives of employees in any endeavor to restore normal conditions.

It is a preposterous evasion of duty on the part of executives to permit themselves to be used by others in devising a temporary expedient to settle a strike. It is damaging in at least two directions. It weakens public estimation of a federal or state department and does not make up the loss by securing a better performance of the task. No other person than the President of the United States is given authority to perform his executive tasks; a temporary governor is not selected to perform the duties of a permanent one whenever requested by an interested party in the settlement of some question of public concern; an issue in a legal dispute goes to a court to be determined, not to a commission of laymen hastily and temporarily organized; a policeman is not superseded by a church deacon to quell a street disturbance, nor does a general contractor, seeking to untangle a snarl that is holding up a big job, accept a proffer of service from some person who thinks he can straighten it out better than trained men in the organization.

Branches of state and federal government are set up to perform a service which is defined by the statute creating it. It is up to the personnel of these agencies to perform the work pursuant to these statutory definitions. It is the duty of federal or state executives to see to it that they function properly and defend them vigorously if necessary by rejecting the solicitation of persons who claim they can settle a strike better than trained conciliators.

CHAPTER XVIII

Conclusions

The preceding chapters have set forth the pertinent evidence required to make clear the state of mind in human relations which causes strikes and lockouts, and to emphasize the fact that such disputes wrongly handled can create situations alike dangerous to industrial welfare and public control.

To summarize, the conditions leading up to the Boston police strike present a forceful illustration of such dangers to the maintenance of law and order, and, manifestly, these dangers lurk in all disputes where similar trends are uncontrolled. The promotion of strikes by Communists has been shown to be a method to collect money from the workers as well as from others who, by means of advertising and other forms of appeal, are influenced to contribute to the Communist movement. The acts of the shoe workers and their employers have vividly shown the strength and weaknesses in methods of conduct which are applicable to employment relations in any industry. These essentials, together with the wage conditions in the textile industry, recognition of unions, the proper guidance for newly organized unions, what is a fair wage, mooted questions like "open shop" and "closed shop," arbitration as a means to determine an issue, and the proper methods to adopt in the treatment of labor disputes, have all been presented.

They contain a real insurance against strikes and lockouts and the reader may write his own policy.

In dealing with each subject the author has presented his conclusions in an endeavor to assist the reader to make his own analysis of the facts and the conclusions while they are before him in consecutive pages. But there remains to be made here some general conclusions and recommendations that should be helpful in clarifying a meeting of opposing minds.

I believe my mind is open on the question of which one is superior to industrial peace, "open shop" or "closed shop." As an employer my preference was in favor of the latter. This was manifested by establishing the first contractual relation with the Typographical Union in the publishing industry in the city where I conducted a daily and Sunday newspaper for many years. If I return to that field of endeavor the same form of trade relation with the union will be resumed, not because it is a custom in the industry but because it is the simple and most economical form of relationship where both sides are mindful of discipline.

Self-disciplined unions reflect the kind of employers they deal with. Where there are good unions you will find that the employers who do business with them are self-disciplined, too.

A trade relation that has been long established, its policies adopted and interpreted by men of understanding, is quite certain to be protective in its mutual benefits. But if this type of employer was faced by conditions like those imposed on employers in certain localities in the shoe industry they would refuse to recognize that form of unionism. So must any employer who intends to continue in business.

Workers anywhere who are habitually addicted to revolt have temperamentally unfitted themselves to hold membership in a well-disciplined union whose chief asset is its reputation to keep the agreements it enters into. In order to

insure themselves against loss of steady employment such workers must accept "open shop" conditions.

A worker, no matter of what race, if he is of normal mind and industrious habits, will not long remain a supporter of an organization whose tenets exact or condone the breaking of an agreement. When a man is promised something he expects such promises to be fulfilled. When he is a party to an agreement he expects the other fellow to keep it. Therefore, his sense of fair play is the best influence which can be found to lead him away from organizations most likely to antagonize his employer against himself.

It is frequently charged that labor unions are responsible for getting employees out on strike. Experience shows that employees are also likely to concertedly leave their places of employment when not restrained by the discipline required of those who hold membership in veteran unions. Any strike of unorganized employees in most cases is more difficult to adjust amicably than one in which the striking employees are organized.

The evidence submitted in this book makes it clear that discipline is the most essential influence in employment relations. The method of using it originates in the individual; to the extent that he controls himself he measures his exercise of it. By showing how and where employers and employees have displayed protracted disregard for discipline, such disclosures should be helpful to those who seek ways to avoid mistakes made by others.

Self-disciplined employers and unions do not discuss their differences in public. Their relations are of concern to themselves. They find it unnecessary to spread the details of their private business before the public. Only rarely in normal industry does a dispute become public. Neither does a family "spat."

I do not share in the alarm that many profess to feel in

the spread of Communism in the United States—not to the extent, at least, that Communists will be successful in their grand objective to overthrow our form of government.

The reason for planting "nuclei" in factories wherever possible is apparent and not difficult of achievement. In all localities there are a limited few whose views differ from those of a majority. At least one may be found in every town in the land. They spend their lifetime in an earnest endeavor to convince the neighborhood of the soundness of their views. They hold the doubtful honor and title of the "town pump" orator. No harm has come from such efforts as the time consumed in continuous endeavor to convince bores those who stay to listen.

Once there was a dog crossing a brook of placid surface. He saw a large bone reflected on the water. It looked larger and juicier than the one he was carrying between his jaws. Dropping the substance, he plunged for the shadow. When he emerged and shook himself, he found that contact with the water had even washed away the pleasant flavor of the bone he had lost. Such an experience would make any dog a pessimist.

There have been, and are, and will be, disturbances caused by Communists in all parts of the country. Such disturbances, however, affect only the localities where they occur. They will be caused by some man or woman who has developed a capacity to attract a following and lead it into trouble. Treatment of the offenders is necessarily a local matter unless and until the Congress enacts a statute which confers upon federal authorities a power to act without confusion. Meanwhile, by coordinating its powers with those of federal, local authorities can handle a Communist strike or any other aspect of the disturbing movement in their municipalities in a reasonable time and with satisfactory precision.

In many cases it is not so much a scarcity of statute as it is a reluctance or timidity to exercise what law there is by those in authority to use it. In the state courts and federal courts, too, there have been too many cases where judges have shown reluctance and, occasionally, an obvious antagonism to the prosecution of avowed enemies of the government the courts are bound to uphold.

In Massachusetts where an unctuous form of judicial pacification was liberally sprayed, a nuclei of paid Communists remained to nurture further depredations on industry besides resuming classes to teach the children of foreign-speaking workers to be faithful to the "Red flag" and to hate the "Stars and Stripes."

I suppose it becomes pure speculation when one tries to analyze a judicial mind undergoing the processes of reasoning. It may be that the noisy show of strength made by the Communists in the Sacco-Vanzetti-money-raising scheme caused the judiciary to consider the feasibility of placating them with a sort of legal liberality tossed from the bench in a big way. This is the only conclusion I am able to give for the judicial timidity that has been manifested in the East since 1927.

There is, or should be, in every community enough force of law or common sense to compete with Communists in the training and education of children whether or not their parents are of that faith. There is much food for thought in the chapter "Teaching Children Allegiance to the Red Flag," and a study of this ought to overcome the disloyalty of personal indifference that so many of us get into, and spur us on to acts of patriotism.

These conditions are not unusual in any manufacturing community. All such children long for better things and most of them are capable of securing them in later life. There are ways of helping them along without the stigma

of dependence on charity and these ways should be resorted to by a community, thus obviating a competition with Communism, besides encouraging the children to "look up" with cheerful hope. Communities unmindful of "the least of these" are quite certain to criticize the government for its laxity in controlling the invasion of Communists, thus hiding from themselves an admission that conditions must be pretty bad or the Communists would not be there. Communists do not thrive where good conditions prevail.

A man of Quaker descent, whose rise to prominence was well merited by his industry, capacity, wisdom, and loyalty, went to Washington to find out why the government did not do something to curb Communistic nuisance. He discovered that certain branches of the government had opened the gates, let in the enemy, and then curtailed the resources of the other departments to rid the country of its enemies. In his own state he found a judiciary unwilling to submit to a trial jury a group of these alien enemies who had been indicted by a grand jury. He found, too, a governor of a great state who had arrogated to himself the right to consider and dispose of extraordinary cases in ways calculated to give aid and comfort to enemies of our form of government.

But, after all, these errors are helpful. They are the climaxes which served to bring home to a substantial people everywhere that "something had to be done about it."

A member of the American section of the Communist party was put forth as a candidate for Mayor of New York in 1929, and he raised the slogan "Class against Class." His explanation of this slogan was that the Communist "has no illusions about obtaining control of the capitalist state through the ballot."

"Not pieces of paper but the class war will overthrow capitalism," he said.

The intent here shown is that Communism contemplates

to overthrow the government by force. But put this advocate of violence before a bar of justice, and a delegation of counsel from some "civil liberties" outfit is sure to appear and dare the prosecution to prove that he meant anything of the kind. They would argue that what he said was "capitalism" not "government," thus meaning no harm to the latter. Our form of government is described by Communists as "capitalistic," but no war is intended against the government itself—merely a change in its form by force and violence is the objective; substitution of a "Workers and Farmers Union" by means of a revolution—that is all! There are no farmers in the Communist movement but their involuntary inclusion adds a touch of "solidarity" to the propaganda of the Communist party. Besides, it furnishes more relief for the farmer and he cannot stop it. And what the farmer needs above all things is help from those whose understanding of farming comes from a casual survey of vegetables displayed in a market window.

Another source of protection to such enemies of the people is found in the minds of well-meaning authorities who believe it better policy to ignore the ravings of this vaporing class. Attempts to check their activities by means of the courts, they believe, are just the sort of notice that is craved by the Communistic seekers for publicity. Such delays, however, serve to provide continued opportunities for the leaders to collect nickels, dimes, two bits—and even a dollar—from the persistently canvassed "comrades."

The number of those holding revolutionary views is naturally larger in urban localities, the normal number having been largely increased by an influx of immigrants whose radical tendencies result from political tyranny and distressingly poor working and living conditions in their native country. Their views change after working and living in this country, for they have a chance to mingle with others,

to send their children to the public schools, and to gradually assimiliate American points of view which are helpful in bringing about a better understanding of conditions here. But the taint of radicalism remains in a few. It requires more than one generation to eradicate it. Like seeks like; radical seeks the association of other radicals. To exchange views is recreation to them. They show impatience only when a "comrade" talks without pausing to listen to another whose views are equally good.

By means of the radical daily and weekly publications it becomes easy to locate professional and potential radicals, who write to the editors or to the contributors. Thus the way is opened for correspondence and contact with individuals all over the country. As these contacts have increased, they are organized by racial groups. That is, if the local radical is a native of Italy, they are handled by some one in the Communist organization who speaks Italian. Then, the local radical is encouraged to work among his own people in his place of employment and elsewhere. If he shows an interest he is appointed chairman or captain of a nuclei. To him this is an honor. He feels a mark of personal distinction heretofore withheld by reason of his inability to speak English.

With these contacts made and nuclei established, the Communist organization is prepared wherever a strike occurs. When the professional organizers arrive, the local men are used as guides in making contacts with the strikers, particularly those in groups of the same race.

The Soviet Union is not benefited by having a well-organized plant in the United States for the extension of its propaganda. Certain members of its central executive committee here are efficient in planning and directing the work of others. As it is rated, some of them are intelligent, but most of the Communists, visible to the naked eye in

America, are a "hare-brained" lot. Among them are prolific writers who find in this field an opportunity to exercise a talent and viewpoint to which the "capitalistic press" and mundane avenues of publication are closed.

In promoting the ambitious program to Communize the world, and particularly the United States, the movement is used by leaders as a means of livelihood. While they profess to believe that a Communistic workers government is better than the one we have, the main thought of the day is to get money so that they may eat and pay for a place to sleep. There are a number among the ranks who are popularly called "parlor bolshevists," and who are living on money left to them by those who were willing to work for it.

Many of the leaders of the movement are out of funds most of the time. Their best opportunity to pick up easy money is found in promoting and using a strike as a means to organize the strikers into their form of unionism. Wherever a strike occurs among unorganized or partially unorganized workers, Communist organizers rush to the scene, and their efforts are supported by other units of the Communist movement. Between them and the federated trades unions there is, naturally, a mutual antagonism energetically shown and vigorously expressed.

Their activities are expressive of the desire to impose a Soviet form of government upon the rest of the world. Any means to this end appears to them justified. Its central committee devises a program which calls for violence exercised in massed action. It shows impatience for tactics which they deem conservative, and those who have long held views that a socialistic form of workers government can be secured by means of ballot are summarily brushed aside.

Unlike the founders of the United States, who built from the ground up, the Communists took over a going nation and fitted it to their political fancies. What they have

shaped, others who succeed them will reshape. But they will continuously seek to impress those about them and abroad with their political achievement. They want to see the eyes of others reflect wonder, amazement, approval, and hear voices, many voices, proclaiming perfection, commendation. An achievement accomplished by revolution inspires a desire to teach others to revolt.

Their hope of America is a wild dream. Their minds are unattuned to our viewpoint. It is impossible for them to conceive that we are free to work, to build, to grow, to buy and sell, and to find one of the countless ladders in this country to climb to success. Minds that inspired the Sacco-Vanzetti propaganda and used it as a means to collect money from the credulous, assume that the American mind is influenced and swayed by resentment against government. We fail to see in the fiasco any foundation for a permanent shrine. Our people possess too keen a sense of humor.

No one can convince them that they are down-trodden, that they are fettered in their efforts to progress, that they are held back by some invisible force to permit others more favored to derive a comfort and prosperity denied them. All about us are evidences of a fruitful land containing vast stores of raw material, millions of acres of fertile land to feed a multitude, and transportation facilities, utilizing highways, railways, and air lanes for distribution. The mighty buildings in our cities typify the constructive spirit of America. Vision and hard work enabled squat structures to "get off their knees," as James J. Davis so aptly says in *The Iron Puddler,* and "stand up" scores upon scores of storeys. The millions of automobiles have brought the remotest section of country life to the diversified interest of an urban locality without imposing any of the disadvantages of the former. To convince these millions of people that

Russia or any other country is better than our own is a real job. The majority shrug their shoulders, tune in on their favorite station, call it a day, and forget all about it.

Our foreign-speaking citizens and potential citizens are by no means as ignorant as many believe. The same stratum of common sense appears among a majority of them as runs through those who are the backbone of our nation. Given time and opportunity, a normal family of a Latin race will absorb the spirit of America and die for it if necessary. Sooner or later they find out for themselves that all one needs in America is willingness to work, a reluctance to shirk, and an ambition to get ahead. Progress advances as fast as the individual conceives it, and an ambitious individual gets his conception from his own hard work—from a desire to get ahead.

The reasons why strikes in the textile industry are colorful have been set forth together with certain comments and conclusions. Because of the conditions in that industry which affect so vitally the welfare of the greatest number of workers I deem it of sufficient importance, in these final conclusions, to give further emphasis to the situation even to the extent of some repetition.

Just to refresh our minds it might be further emphasized that manufacturers of textile fabrics are largely responsible for these conditions in the industry. They do not make a finished material. They buy a bale of cotton of the staple required to fit their needs, cause it to be opened, carded, spun, and woven in the cloth. In this raw state it is sold to a converter who causes it to be bleached and finished. Then it passes through other channels for distribution to the trade and ultimate wearer.

The manufacturer cut himself off from ways of reaching the trade by means of advertising. He burned his bridges in the early days of the industry when the making of cloth

was considered the superior accomplishment to that of its distribution. He occupied an enviable position. The people needed cloth to cover their nakedness and keep them warm. Up to 1918 styles promoted the notion that a lot of cover was needed. Buyers sought the manufacturer who devoted his energies in devising new styles in weaves and improving the quality of staple fabrics.

Thus was built up a method of distribution which effectually destroyed a distressing number of mills in New England and weakened the industry everywhere. The burden of loss was carried by those dependent upon earnings—workers and stockholders. They were helpless. Selling houses whose compensation was regulated by a commission on sales had become large owners in many mills. Whenever a dull period was encountered in the trade they were among the first to meet it by advocating a reduction in wages of the employees in the mill. They were in a position to press a drastic remedy upon the manufacturers. The latter was dependent upon them for his outlet of distribution. An argument by the selling house that a cut in wages would stimulate a demand in the market for cloth seemed plausible. These cuts in no way affected the amount of commission exacted by the selling house nor has it made any appreciable difference in the price of the cloth at the mill. Repeated examinations the country over have shown that the cuts imposed on employees have never been reflected in a lowering cost in stores of retail prices to the customer. The only thing that can be found in extenuation of these conditions is that many manufacturers honestly believed that it was a proper resort to use in an endeavor to correct a stagnant demand for the sale of fabrics.

If all the associations should pool their issues and put their styling and merchandising into the hands of a group of competent women, the latter would help greatly to

"snake them out" of their troubles—and would not take five years to do it, either.

During 1928 and 1929 there was a distinct demand for cotton-made fabrics in the field of fashion. Women buyers of department stores everywhere were seeking new fabrics in cotton. It was not an overnight demand. Starting in Paris and spreading out over the country, selling houses and textile manufacturers had had ample time to prepare to fill it, but again they were lacking in mental resource. I say "mental resource" because they have the raw material, machinery to make the fabric, and all equipment for its finishing and distribution; but few of them were ready for the market when styles like piqués, for instance, were in demand. This is one good reason why I suggest that women would be more competent to style the mills. Most of the styling is done by those who wait to see what the other fellow does. Instead of creating styles in anticipation of a certain demand, the methods of styling descend to imitation and manufacture after the demand has run its course.

I heard the former chairman of the style advisory board of an association of cotton manufacturers warn them against continuing a policy of bulk manufacture and grinding out "millions of yards of cotton in any weave or color that happens to be lying around." Descendant of a long line of textile manufacturers, she was animated in an endeavor to lift the industry from a condition regulated by unimaginative stolidity. She tried to drive home the obvious fact that modern fashion demands style fabrics. She was attired in cotton fabric which was not made in this country; even the hat was cotton, made in Paris. But the fabric, style of cutting, weaving, colors, made an ensemble demanded by Americans.

"You can't sit back," she said, "put your feet on the desk, touch a button, and grind out millions of yards of

cotton in any weave or color that happens to be lying around. To produce styles that the consumers here are seeking, you, yourselves, must know and recognize style fabrics, and they must be understood all the way through, from the head of the mill down to those responsible for the production on one side and down to the selling of the finished goods on the other side. A new field for cotton has been created for you, and without any effort on your part, but if you insist upon sneaking it into the basement in the shy hope that perhaps it won't be noticed, it will flop—and you won't hear a demand for it for another ten years."

She touched a vital fault in textile manufacturing. Manufacturers with equipment suitable to produce a certain fabric that the market believes is going to sell, proceed to manufacture vast quantities in order to be ready to fill the demand. Then when the demand comes, they find that they have not selected the right colors or designs. Then it is too late. This leads many to complain that fashions change too fast; that it is impossible to gauge the public mind, and, as this competent woman stated, "they blame every one but themselves."

In groping for a solution to their troubles, two ways are open to manufacturers and their affiliations. Unless they take the better way the other is inevitable—failures of weaker mills, liquidation of some others before their assets are dissipated—a slow, disheartening process. In the South, wherever attempted, it would mean depriving two shifts of operatives of employment—a destructive blow to them and to their communities.

Such processes of competitive elimination will not restore the wage levels to what they were in 1921—not for many years, anyway. Local methods of management adopted to keep a mill going are quite certain, in most cases, to impose unfair burdens on the workers until the breaking

point is reached. Then comes a strike, more publicity, gunplay, rioting, floggings, kidnapings—all of which impute to the employers in the South an attitude against employees that is unfortunate and unjustified.

Wherever conflict has occurred as it did at Marion, North Carolina, in 1929, between the strikers and the sheriff and his deputies, the most pointed question arising from the tragedy was "Who struck the first blow?" Some said it was the officers, others declared it was the strikers. Newspapermen, week-end writers for magazines, local sleuths, court officers, and others chased madly for an answer to what they thought was an important question, but which was merely a scent of red herring drawn across the trail leading to the body of a prostrate industry.

The "first blow" in that case and in similar cases in the South was struck by the manufacturer when he began operating his mill twenty-four hours a day with employees divided into two groups, each working a long shift. This "blow" led to another and still another until it developed into a riot of overproduction, and every mother's son of them struck blows at themselves, at workers, at the sheriff, the police, the industry, the state, and at civilization itself.

It is incumbent upon those who encouraged and created this condition to retreat from it with a minimum of hardship to those who have built themselves around it. Two shifts of dependent workers must be cared for with employment. Whole communities must be protected. These obligations are assumed by any industry that has abided exclusively in any location for many years.

Therefore, with these obligations clearly recognized, the manufacturers should unite in operating two eight-hour shifts as a temporary basis for the industry in the South. This would take care of the employees and, of course, the communities. Naturally, it would take care of the over-

production that has cut the heart and profit out of the industry. With this unprofitable burden lifted, better prices for the manufactured product can be obtained even though efforts to correct the defective selling methods are delayed.

While I have defined the basis of operations as "temporary," thus making it subject to changes required in any acute departure from custom, its adoption would doubtless prove to the industry that the accruing comfort and profit would be compensatory, sufficient to encourage its continuance.

Better prices at the mill should provide the means to pay a fair wage—fairly comparable with the wage levels in other major industries—besides yielding a profit for regular dividends and a depreciation fund for replacement of plant and equipment.

The textile industry, as well as every other, should ever keep these facts before it:

The public will pay whatever it is asked for the article it demands.

The public does not demand that what it pays shall be the price of low wages and excessive hours of toil.

In conclusion, it should not be thought that the textile industry is being held up to undue notice and criticism. That it offers an example of important weaknesses is true. But the thought with which I would leave the reader is rather that my approach to the problem—the analysis and the constructive comment—is essentially applicable to all industries. And every attempt to improve labor relations, made by those who see the problem in the broad and statesmanlike setting I have tried to supply, should go far toward helping us all to a day of better human relations in industry.